

with the proper authorities of the State of Oklahoma for the construction of a public bridge across Red River at some point on the north line of Wilbarger county, Texas, and to authorize said commissioners court of Wilbarger county, Texas, out of the road and bridge funds of said county to pay not more than twenty-five per cent of the cost of construction and maintenance, and to authorize the issuance of bonds or warrants for said purpose and to provide that the said bridge, when constructed, shall be a part of the public highways of the State of Texas, and to authorize the appropriation of funds by the said Highway Commissioner to aid in the construction and maintenance thereof, on authority herein granted by authority of the Governor of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 117, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 15, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 19, "An Act amending Article 7060 of the Revised Civil Statutes of 1925 so as to increase and provide for an occupation tax based on gross receipts, upon each individual, company, corporation or association engaged in owning, operating, managing, or controlling any gas, electric light, electric power or waterworks, or water and light plant, for local sale and distribution in incorporated towns or cities of certain populations within this State and charging for gas, electric lights, electric power,

or water; providing certain exceptions; enacting necessary means and regulations in order to collect said tax and incidental to said subject; repealing Sections 17, 18 and 19 of Article 7047 of the Revised Civil Statutes of 1925, and declaring an emergency."

Have carefully compared same and find in correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 17, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 40, "An Act creating the 117th Judicial District Court for Nueces county; defining its jurisdiction; transferring the civil original jurisdiction of the county court of Nueces county to the court created hereby and adjusting the business of said courts; adjusting the business of the Twenty-eighth District Court of Nueces county with the court created hereby; prescribing the duties of the district clerk with respect thereto, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

#### TWENTIETH DAY.

(Tuesday, March 18, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Dunlap.
Acker.	Enderby.
Ackerman.	Farrar.
Adkins.	Finn.
Albritton.	Finlay.
Allred.	Forbes.
Anderson.	Fuchs.
Baker.	Gates.
Barnett.	Gilbert.
Bateman.	Giles.
Beck.	Graves
Bond.	of Williamson.
Bounds.	Graves of Erath.
Bradley.	Hardy.
Brice.	Harding.
Brooks.	Harman.
Coltrin.	Harrison.
Conway.	Heaton.
Cox of Lamar.	Hines.
Cox of Limestone.	Hogg.
Davis.	Holder.
DeWolfe.	Hopkins.

Hornaday.	Petsch.
Hubbard.	Pool.
Jenkins.	Pope of Jones.
Johnson	Pope of Nueces.
of Dallam.	Purl.
Johnson	Quinn.
of Dimmit.	Ray.
Johnson of Smith.	Reader.
Jones.	Renfro.
Justiss.	Richardson.
Kayton.	Riley.
Keeton.	Rogers.
Keller.	Sanders.
Kemble.	Savage.
Kennedy.	Shaver.
King.	Shelton.
Kinnear.	Sherrill.
Lemens.	Simmons.
Long of Houston.	Sinks.
Long of Wichita.	Snelgrove.
Loy.	Speck.
Magee.	Stephens.
Marks.	Stevenson.
Mauritz.	Storey.
Maynard.	Tarwater.
McCombs.	Terrell.
McDonald.	Tillotson.
McGill.	Turner.
Mehl.	Van Zandt.
Metcalfe.	Waddell.
Minor.	Wallace.
Moore.	Walters.
Morse.	Warwick.
Mullally.	West.
Murphy.	Westbrook.
Negley.	Williams
Nicholson.	of Sabine.
Olsen.	Williams
Palmer.	of Travis.
Patterson.	Woodruff.
Pavlica.	Young.

Absent.

Avis.	Mankin.
Baldwin.	Martin.
Duvall.	Montgomery.
Ejckenroht.	O'Neill.
Harper.	Prendergast.
Kenyon.	Reid.
Land.	Wiggs.
Lee.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

A quorum was announced present.  
 Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Kayton for yesterday and today, on motion of Mr. Anderson.

Mr. Webb for today, on motion of Mr. Justiss.

Mr. Kincaid for today, on motion of Mr. Kinnear.

Mr. Thompson for today and the balance of the session, on motion of Mr. Morse.

Mr. Chastain for today, on motion of Mr. Tillotson.

Mr. Savage for today, on motion of Mr. Holder.

Mr. Carpenter for today, on motion of Mr. Van Zandt.

The following members were granted leave of absence on account of illness:

Mr. Hefley for today, on motion of Mr. Justiss.

Mr. Williams of Sabine for today and the balance of the session, on motion of Mr. Woodruff.

Mr. Albritton for today and the balance of the session, on motion of Mr. Kennedy.

Mr. Veatch for today and the balance of the session, on motion of Mr. Snelgrove.

Mr. Johnson of Scurry for today, on motion of Mr. Van Zandt.

Mr. Mosely for today, on motion of Mr. Van Zandt.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Anderson, Senate bill No. 96 was ordered not printed.

On motion of Mr. Young, Senate bill No. 94 was ordered not printed.

On motion of Mr. Brooks, House bill No. 71 was ordered not printed.

BILLS ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Wallace, House bill No. 127 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Hubbard, Senate bill No. 82 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Young, House bill No. 155 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Quinn, House bill No. 156 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Keller, House bill

No. 154 was ordered printed in mimeograph form and not otherwise printed.

#### BILLS RE-REFERRED.

On motion of Mr. Wallace, Senate bills Nos. 66 and 93 were withdrawn from the Committee on Appropriations and referred to the Committee on Education.

#### PROVIDING FOR COMPILING HOUSE MANUAL.

Mr. Morse offered the following resolution:

H. C. R. No. 12, Providing for compiling House Manual.

Whereas, The Rules of the Senate and of the House of Representatives contain many conflicting and ambiguous sections; and

Whereas, Several amendments to the Rules have been adopted during the five special sessions of the Legislature; and

Whereas, Several valuable precedents have been established in this session; and

Whereas, It is the desire of this Legislature to prepare a complete and workable set of Rules for the Senate and the House of Representatives; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a committee of five be appointed, three members from the House, to be appointed by the Speaker, and two members from the Senate, to be appointed by the President of the Senate, and said committee shall proceed to employ two suitable persons to revise the Rules of the Senate and of the House of Representatives, and to compile all necessary data for a legislative manual and perpetual supplement, which data shall contain the Constitution of the State of Texas and an index thereto; annotations to the Constitution of the State and an index thereto; the Rules of the House of Representatives and an index thereto; the Rules of the Senate and an index thereto; an outline showing the progress of a bill with variations and an index thereto; the standing committees of the House and Senate; Jefferson's Legislative Manual and an index thereto; the legislative and congressional precedents with an index thereto; legislative forms and an index thereto and such other data as may be decided upon by said committee as proper to be included in such a legislative manual.

Said committee shall compensate said employees out of the appropriation herein made out of the House and Senate contingent funds in the same proportion.

Said committee shall supervise the work of said employees and carefully inspect the data compiled by said employees and make any changes they desire to make in same before it is completed.

When the data herein provided for is completed and agreed upon by a committee appointed, the committee shall authorize the Manual to be prepared in manuscript form, and shall present a copy of such manuscript to the House and Senate of the Forty-second Legislature for their consideration.

The sum of one thousand five hundred dollars (\$1500.00) or so much thereof as may be necessary is hereby appropriated out of the contingent funds of the two houses for the compensation of said employees, and the necessary expenses of said committee.

The resolution was read second time and was adopted.

#### TO AMEND CERTAIN HOUSE RULE.

Mr. Hornaday offered the following resolution:

Whereas, Section 5 of Rule 19 of the Rules of the House of Representatives, as set forth in the Legislative Manual, Forty-first Legislature, and said rule of the Manual of previous Legislatures, does not express the meaning intended to be reflected by said rule, and expresses a meaning opposite from what was intended; therefore, be it

Resolved, That Section 5 of Rule 19 of the Legislative Manual of the Forty-first Legislature be amended so that the same shall hereafter read as follows:

"Section 5. No bill shall be considered or tabled, unless it has been first referred to a committee and reported therefrom; and no House bill, except appropriation bills, shall be passed which has not been presented, referred to and reported from a committee at least one hundred and twenty hours (five full calendar days) next before the final adjournment of the Regular Session of the Legislature; or, if in Special or Called Session, then within ninety-six hours next before the final adjournment of such session."

The resolution was read second time, and was referred by the Speaker to the Committee on Rules.

#### BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled bill:

S. B. No. 55. "An Act to amend Section 84a of Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925, as amended by Chapter 82, Acts of the First Called Session of the Forty-first Legislature, so as to authorize such district to declare an emergency in certain cases and under certain limitations and to issue interim bonds in evidence of such emergency loans, and to pledge taxes and bonds of the district to secure payment of such emergency loans evidenced by such interim bonds; and further to provide that this act, when adopted, shall apply to water control and improvement districts, water improvement districts, levee improvement districts, drainage districts, and all other districts created under the provisions of the Section 59 of Article 16 of the Constitution of the State of Texas, and declaring an emergency."

CONFERENCE COMMITTEE REPORT  
ON HOUSE BILL NO. 10.

Mr. McCombs, chairman, called up, for consideration at this time, the following conference committee report on House bill No. 10:

To the Honorable Barry Miller, Lieutenant Governor, and the Honorable W. S. Barron, Speaker of the House of Representatives:

We, your free conference committee on House bill No. 10, appointed to adjust differences between the House and Senate on said bill, beg leave to report that we have arrived at a satisfactory adjustment thereof, and herewith report the following bill as a free conference committee amendment to House bill No. 10:

A Bill

To Be Entitled

"An Act providing for the renovation and rehabilitation of the prison system in the State of Texas; for the improvement of present building and erection of new structures for the purpose of housing the inmates thereof, as well as making present buildings more sanitary, modern, and fireproof; providing for the installation of additional equipment and appliances within the prison walls at Huntsville and on the farm units; providing for a portable housing unit to be used by said system in moving prisoners to points outside the present prison-owned properties and utilizing their labor at such points, and authorizing

the State Highway Commission and the State Prison Board to construct roads connecting prison-owned properties with State or county highways and providing for the use of prison labor on said roads to be constructed; providing for the sale of the Shaw Farm in Bowie county; providing for the sale of prison products to the State Board of Control and the State Highway Commission; providing for leveeing, draining and reclaiming prison lands and clearing tillable prison lands; making an appropriation of \$450,000.00 for the purpose of erecting improvements and repairs and providing equipment within the State Prison walls at Huntsville and for the purpose of erecting and equipping permanent fireproof farm units on the Imperial, Harlem and Darrington Farms; making an appropriation of \$100,000.00 for erecting improvements and providing equipment for the Goree and Wynne Farms; making an appropriation of \$25,000.00 for the purpose of aiding in the construction of hard surface roads on prison farms, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. The purpose of this act is to renovate, improve and rehabilitate the central unit of the Texas Prison System at Huntsville and to construct and modernize the prison farm units of said system to the end that the prison population of Texas may be adequately housed, and securely confined, and gainfully employed in such enterprises as will, in the opinion of the Prison Board, prove most remunerative to the State and beneficial to the prisoners, it being the legislative intent to first relieve the emergency now existing in the walls at Huntsville by providing for reasonable sanitation and hospitalization within this unit and by supplying needed and practicable industrial equipment therein, and then to relieve prison congestion by erecting permanent housing facilities on and for designated farm units.

Section 2. To accomplish the purposes enumerated herein the Texas Prison Board is authorized and directed as follows:

A. To equip the present property within the walls with reasonable sanitary devices including the installation of a sewer system for all cell blocks and at other points therein if needed.

B. To provide adequate hospitalization within the walls, including equipment for the scientific diagnosis and

treatment of diseases and the installation of an adequate medical supply depot.

C. To acquire and install emergency mechanical devices, equipment, and machinery for shops and industries now operated or that may be operated profitably in said central unit.

D. To erect and equip such prison farm units, as in the opinion of the Prison Board, are necessary to relieve the present prison congestion. The board is hereby authorized to erect and equip one modern, sanitary fireproof farm unit on either the Imperial, the Darrington or the Harlem Farm. Or in the alternative, if the said board so elects, it is hereby authorized to erect two such units and locate same on any two of said farms, or if the board deems expedient, it is hereby authorized to erect three such plants and place one on each of said farms. If one unit is erected it shall be sufficiently commodious to accommodate the number of persons reasonably required for agricultural enterprises on all accessible farms when used in conjunction with the present tenable and usable facilities now on said farms. If two or three units are erected they shall be so constructed as to accommodate enough prisoners to care for and tend all land accessible thereto. Such unit or units shall be equipped with modern, sanitary devices and supplied with such facilities as are necessary to insure comfortable and humane living conditions for prison inmates. Each unit shall be equipped with a hospital ward adequate for all anticipated needs.

E. The Prison Board is further directed to renovate, remodel and repair the present improvements on the Goree Farm, and to make such additions thereto as may be necessary to provide adequate housing facilities for all female inmates of the Prison System, and to supply industrial employment for such of the female inmates as may be used profitably in such employment. Adequate hospital facilities shall be provided on this farm for all female prisoners. White and colored prisoners shall be segregated in separate living quarters, work shops, and hospitals.

F. The Prison Board is further directed to take such steps, other and additional, as are incident or necessary to effectuate any and all of the several undertakings herein specially delineated.

Section 4. In the erection of the improvements authorized by this act, it shall be the duty of the Prison Board to use prison labor where practicable,

but, if such labor is found impracticable, then the board may contract for such free labor as is necessary. For these enterprises the board is also directed to use the services of any experts, engineers, architects, or specialists now employed by the State in any department or institution, and if not inconsistent with pre-existing duties, it shall be incumbent upon any and all such experts, engineers, architects, and specialists to render such aid as may be requested by such board.

Section 5. The Prison Board and the State Highway Commission are hereby directed to construct such adequate hard-surfaced roads as may be necessary to connect the three prison farms specially mentioned in this act, to wit: The Imperial, Darrington, and Harlem farms with existing improved or hard-surfaced State or county highways, it being the intention of the Legislature to make these farm units accessible to vehicular traffic at all times. The Highway Department will lay out the necessary roads, make all plans and specifications necessary therefor, and furnish all such material and equipment as may be necessary for their construction, and also furnish all such supervising, engineering service as may be necessary for such road-building projects. The Prison Board is hereby authorized to provide portable housing facilities and road camps for the purpose of utilizing prison labor on these road-building projects. The Prison Board is directed to furnish all labor for these road-building enterprises and to co-operate with the Highway Department in their construction, to the end that these projects may be built out of prison labor as nearly as practicable. The expense incurred by the State Highway Department in the construction of these roads shall be borne by said Department and paid out of any funds in its hands available for building or for aiding the construction of public highways in this State.

Section 6. The Prison Board is here directed to remodel, repair and renovate the present improvements on the Wynne Farm and to make such additions to the present housing and hospital equipment thereon as may, in the opinion of the board, be necessary to convert same into a modern and sanitary prison unit for all tubercular inmates of the Prison System, it being the intention of the Legislature to authorize the Prison Board to so equip this unit as to make the same available for the proper housing, treatment and

employment of prisoners afflicted with tuberculosis.

Section 7. The Prison Board may, in its discretion, sell the Shaw Farm located in Bowie county (same being all the prison-owned land in said county) at any time after having given public notice in as many as four daily newspapers published in the State, stating the time, place, and terms of sale, and terms being for not less than one-fifteenth cash, with remainder divided into fifteen equal annual payments, maturing in one to fifteen years, with interest payable annually at the rate of 5% per annum, said deferred payments to be secured by vendor's lien. The proposals for purchase shall be in the form of sealed bids accompanied by cashier's check, payable to the State Treasurer, for the initial cash payment. All conveyances of such land shall be signed and acknowledged by the Governor of Texas and by the Chairman of the Prison Board. All oil, gas and mineral rights in and to said land shall be reserved to the State of Texas, with the provision that as and when such oil, gas or other minerals are sold, either by lease or otherwise, an equal one-eighth portion of the net proceeds of such sale or sales, shall be paid to the State's vendee of the surface, or the heirs or assigns of said vendee. The State shall reserve the usual rights of ingress and egress, and such other rights as are incident and necessary for the proper exploration of said lands for mineral deposits and for the development and sale of such deposits. The mineral rights reserved to the State shall be under jurisdiction of the Prison Land Leasing Board, and all sales of minerals in and under said Shaw Farm shall be made by said Land Leasing Board as provided in Senate bill No. 29, passed at the Fourth Called Session of the Forty-first Legislature. All money derived from the sale of the surface or mineral rights in said prison land shall be paid into the general revenue fund.

Section 8. The Prison Board is directed to provide for the levying, draining and reclaiming of any overflow lands owned by the Prison System, and for clearing any uncleared tillable land and for this purpose prison labor shall be used, and the portable road camps and equipment shall be utilized where practicable.

Section 9. Authority is hereby given to the Prison Board and to the Board of Control to enter into contracts whereby the Prison Board may sell to the Board of Control any products pro-

duced by the Prison System, whether such products be agricultural, or manufactured products, and it is hereby made the duty of the Board of Control to purchase all needed prison products when such purchase is economical. When goods, wares, merchandise, or supplies are procured, bought or manufactured and then furnished any department or unit of the Prison System, the charge against such department or unit for such goods, wares, merchandise or supplies shall be the identical cost price of such article, whether bought or manufactured and with no cost for labor or overhead charge included. When farm products are transferred from one unit or department of the Prison System to another the charge to such receiving unit or department shall be at the marked price of such product on the day delivered at the place delivered.

Section 10. The sum of \$450,000.00 is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purpose of defraying the expense incident to erecting the improvements, making the repairs, and providing the equipment to be erected and installed within the walls at Huntsville and on the Harlem, Imperial, and Darrington Farms, for the State Prison System which are authorized by this act.

Section 11. Out of the funds appropriated by the Section 10 of this act the State Prison Board is here directed to make the following expenditures, to wit:

A. The sum of \$150,000.00 shall be used for erecting and providing the improvements and equipment within the present prison walls at Huntsville.

B. The sum of \$300,000.00 shall be used in erecting the permanent fireproof unit or units and in equipping said unit or units to be erected on the prison farms as authorized in Section 2, Subdivision D, of this act.

Section 12. The sum of \$100,000.00 or so much thereof as may be necessary is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purpose of erecting the improvements and providing the repairs on the Goree and Wynne Farms. Out of said fund the Prison Board shall not spend more than \$50,000.00 on the Goree Farm.

Section 13. The sum of \$25,000.00, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the purpose of providing

the equipment and defraying the expense incident to constructing the hard surface roads as provided for in Section 5 of this act.

Section 14. The fact that our present prison system is not adequate for the needs of the State and that it does not provide for the proper treatment of prisoners and is badly in need of rehabilitation and renovation, and that the properties are now badly overcrowded, makes it imperative that the State Prison System be improved as speedily as possible and that proper housing facilities be furnished the inmates thereof; such facts create an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended and the same is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

McCOMBS.

YOUNG.

GRAVES of Williamson,

On part of the House.

GREER.

GAINER,

MARTIN,

DeBERRY,

SMALL,

On part of the Senate.

Mr. McCombs moved that the report be adopted.

Yeas and nays were demanded, and the report was adopted by the following vote:

Yeas—80.

Acker.	Harrison.
Ackerman.	Heaton.
Allred.	Hines.
Baker.	Hogg.
Bateman.	Holder.
Beck.	Hopkins.
Bounds.	Jenkins.
Bradley.	Johnson
Brice.	of Dallam.
Coltrin.	Johnson of Smith.
Conway.	Justiss.
Davis.	Keeton.
DeWolfe.	Keller.
Farrar.	Kennedy.
Finn.	King.
Finlay.	Kinnear.
Fuchs.	Lemens.
Gates.	Long of Houston.
Gilbert.	Magee.
Giles.	Marks.
Graves of Erath.	Mauritz.
Hardy.	Maynard.
Harding.	McCombs.
Harman.	McDonald.

McGill.	Sinks.
Mehl.	Snelgrove.
Metcalfe.	Stephens.
Minor.	Stevenson.
Moore.	Storey.
Morse.	Tarwater.
Negley.	Terrell.
Olsen.	Tillotson.
Palmer.	Turner.
Pavlica.	Walters.
Pope of Nueces.	Warwick.
Quinn.	West.
Reader.	Westbrook.
Renfro.	Williams
Richardson.	of Sabine.
Rogers.	Williams
Shaver.	of Travis.
Shelton.	Woodruff.
Sherrill.	Young.
Simmons.	

Nays—21.

Mr. Speaker.	Petsch.
Brooks.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Purl.
Forbes.	Ray.
Hornaday.	Riley.
Johnson	Sanders.
of Dimmit.	Speck.
Jones.	Van Zandt.
Kemble.	Waddell.
Murphy.	Wallace.

Absent.

Adkins.	Land.
Anderson.	Lee.
Avis.	Long of Wichita.
Baldwin.	Loy.
Barnett.	Mankin.
Bond.	Martin.
Dunlap.	Montgomery.
Duvall.	Mullally.
Enderby.	Nicholson.
Eickenroht.	O'Neill.
Graves	Patterson.
of Williamson.	Prendergast.
Harper.	Reid.
Hubbard.	Rountree.
Kenyon.	Wiggs.

Absent—Excused.

Albritton.	Mosely.
Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Smith.	Webb.
Kayton.	Williams
Kincaid.	of Hardin.
McKean.	

Mr. Pope of Nueces moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

## Reasons for Vote.

We vote to adopt the free conference report on the prison bill very reluctantly and only because we realize that something should be done to improve conditions at the main prison and prison farm camps. We still adhere to the opinion that steps should have been taken for a new and centralized prison system. The bill reported by the free conference committee, which we hereby vote to adopt provides temporary relief in the only form that we could get it, and we therefore vote "yea," leaving it to a future Legislature to do the right thing in the right way.

DAVIS,  
HOLDER.

I voted against the adoption of the free conference report on House bill No. 10 because I think it is a makeshift attempt, with a surplus amount of language, to do something that could be accomplished by adding a few lines to the appropriation bill. Those who labor under the impression that this is prison reform overlook the fact that successful penitentiaries in other States of this Union have not allowed themselves to operate a system of more than 80,000 acres scattered over more than half a dozen counties. Also, I cannot forget the fact that the Texas prison system has not only failed to be self-supporting, except at irregular, short intervals, for the last fifty years, but has cost the State more than \$11,000,000, appropriated out of the general fund. In addition to that, I know of no one who has become a better citizen because of having served in the State penitentiary, although some former convicts are good citizens in spite of their incarceration in the Texas prison system. In other words, about the only use I see for the State penitentiary system, as now operated, is to confine criminals and not to restore them to society as useful citizens. I have the utmost respect, both as to the ability and the sincerity of those who differ with me on this question, but the above statement represents my honest conviction. I am unwilling to allow convict labor to compete with any class of free citizens, it matters not whether it be farmers or mechanics. I think they should only raise and manufacture the things the State institutions actually need.

PURL.

My reasons for not signing and supporting the free conference committee

bill on penitentiary, being House bill No. 10:

1. For the following and other reasons I am opposed to rebuilding in the old walls at Huntsville.

2. It is very bad policy to require the Prison Board to spend \$150,000.00 in and on the old building at Huntsville, which has been built about eighty years, whether needed or not. I tried to have the committee say in the bill that \$150,000.00, or so much thereof as needed, should be spent for necessary improvements and machinery, knowing that the part spent on machinery could be moved, if the prison is ever moved, but this request was refused by the Senate committee and the majority of the House committee.

3. I am unalterably opposed to devoting our entire prison activities to farming in competition to the farmers, but believe that we should farm and manufacture commodities for all State wards and other State institutions and all activities of the State, including public highways, limiting our prison activities to manufacturing and farming for State use only and not farm and manufacturing in competition to free labor.

4. I favor holding the Prison Board responsible for their acts in managing the penitentiary; therefore, I favor a liberal policy with reference to permitting the Prison Board to spend the money in the way they could derive the most benefit. The majority of the free conference committee favors directing the Prison Board where and how the money should be spent, not allowing them to use their best judgment in spending the money where needed most.

5. This bill, in my opinion, does not lay the proper foundation for finally solving our prison problem, but, on the other hand, makes it more difficult to solve in the future. The above and many other reasons make it impossible for me to support the free conference committee report.

WALLACE.

BILLS LAID ON THE TABLE SUBJECT TO CALL.

The following, by unanimous consent, were laid on the table subject to call: House bills Nos. 81, 84 and 65.

SENATE BILL NO. 62 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 62, A bill to be entitled

"An Act to amend Title 76 of the Revised Civil Statutes of Texas of 1925, by adding thereto Article 4644a, providing that no injunction shall be granted to stay or prevent the vacating, abandonment or closing, by the city council or governing body of any incorporated city of this State of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessees of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city, provided that any person who, under existing laws, has the right to enjoin a city from vacating, abandoning or closing any street or alley of such city and whose right to such injunction is denied by this act, shall have the right to an action for damages for any injury that he may sustain by reason of the vacating, abandoning or closing of any street or alley by such city, and declaring an emergency."

The bill was read third time.

(Mr. McGill in the chair.)

Mr. Shaver moved the previous question on the passage of the bill, and the main question was ordered.

(Speaker in the chair.)

Question recurring on the passage of the bill, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows:

Yeas, 51; nays, 48.

Mr. Van Zandt called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote stood as follows:

Yeas—51.

Acker.	Long of Houston.
Anderson.	Magee.
Beck.	Mauritz.
Bradley.	Mehl.
Dunlap.	Metcalfe.
Forbes.	Minor.
Hines.	Moore.
Hogg.	Morse.
Hornaday.	Murphy.
Hubbard.	Negley.
Johnson	Nicholson.
of Dimmit.	Olsen.
Justiss.	Palmer.
Keeton.	Petsch.
Keller.	Pool.
Kemble.	Pope of Jones.
Kinnear.	Pope of Nueces.

Purl.  
Quinn.  
Reader.  
Richardson.  
Rogers.  
Sanders.  
Shelton.  
Simmons.  
Storey.

Terrell.  
Tillotson.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
Westbrook.  
Williams  
of Travis.

Nays—48.

Ackerman.  
Adkins.  
Allred.  
Baker.  
Barnett.  
Bateman.  
Bond.  
Bounds.  
Brice.  
Brooks.  
Coltrin.  
Conway.  
Cox of Limestone.  
Davis.  
DeWolfe.  
Enderby.  
Finlay.  
Fuchs.  
Gates.  
Gilbert.  
Giles.  
Graves of Erath.  
Hardy.  
Harding.  
Harrison.

Heaton.  
Holder.  
Johnson of Smith.  
Kennedy.  
King.  
Long of Wichita.  
Marks.  
Maynard.  
McDonald.  
McGill.  
Mullally.  
Pavlica.  
Ray.  
Riley.  
Sinks.  
Snelgrove.  
Speck.  
Stephens.  
Stevenson.  
Van Zandt.  
West.  
Williams  
of Sabine.  
Woodruff.  
Young.

Present—Not Voting.

Albritton.  
Farrar.  
Finn.  
Jenkins.

Johnson  
of Dallam.  
Jones.  
Sherrill.

Absent.

Mr. Speaker.  
Avis.  
Baldwin.  
Cox of Lamar.  
Duvall.  
Eickenroht.  
Graves  
of Williamson.  
Harman.  
Harper.  
Hopkins.  
Kenyon.  
Land.  
Lee.  
Lemens.

Loy.  
Mankin.  
Martin.  
McCombs.  
Montgomery.  
O'Neill.  
Patterson.  
Prendergast.  
Reid.  
Renfro.  
Shaver.  
Tarwater.  
Turner.  
Wiggs.

Absent—Excused.

Carpenter.  
Chastain.  
Hefley.

Johnson of Scurry.  
Kayton.  
Kincaid.

McKean.  
Mosely.  
Rountree.  
Savage.  
Thompson.

Veatch.  
Webb.  
Williams  
of Hardin.

The Speaker announced that Senate bill No. 62 was finally passed.

Mr. Kemble moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 63 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 63, A bill to be entitled "An Act to create the One Hundred and Twentieth Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; reorganizing the Eighty-sixth Judicial District of Texas, and designating the counties constituting said district and fixing the time for holding court in the various counties of said district, etc., and declaring an emergency."

The bill was read third time and was passed.

Mr. Purl moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### Reason for Vote.

Reasons for my vote on Senate bill No. 63. I voted "no" on final passage of Senate bill No. 63 for the reason that in the addition of Dallas county to Judicial District No. 86 I feel that in the future the citizens of Kaufman, Van Zandt and Rockwall counties might not have the efficiency from its district court as such counties would have if they were not included with Dallas county, and for the further reason that in the addition of Dallas county to this district clothes that county with exclusive power to dictate who shall be elected district judge, which I do not think is right in so far as the other counties are concerned.

#### BOND.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 18, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 69, A bill to be entitled "An Act to amend Section 40 of Chapter 61 of the General Laws passed by the Forty-first Legislature at its Second Called Session which convened June 3, 1929, so as to give borrowers full credit for all payments and to preserve the contract time for repayment and to add a new section to be known as Section 47a, authorizing the Banking Commissioner of Texas to regulate withdrawals, and fixing venue in certain suits, and declaring an emergency."

S. B. No. 100, A bill to be entitled "An Act creating a board for the leasing of State parks for oil and/or gas, etc., and declaring an emergency."

The Senate has concurred in House amendments to Senate bill No. 37 by a viva voce vote.

Has granted the request of the House for the appointment of a free conference committee to adjust the differences between the two houses on House bill No. 12.

The following are appointed as conferees on the part of the Senate:

Senators Witt, Hyer, Russek, Woodward, Love.

Has refused to concur in House amendments to Senate bill No. 30, and requests the House for the appointment of a free conference committee to adjust the differences.

The following are appointed as conferees on the part of the Senate:

Senators Neal, Greer, Beck, Love, Polard.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 30.

Mr. Holder called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 30.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Holder moved that the request be granted.

The motion prevailed.

In accordance with the above action the Speaker announced the appointment of the following committee:

Messrs. Holder, Mrs. Moore, Justiss, Shaver and Barnett.

HOUSE BILL NO. 100 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 100, A bill to be entitled "An Act amending House bill No. 87, Fourth Called Session, Forty-first Legislature, so as to include Marion county; providing size limits for bass and crappie caught in these counties; providing a possession limit for bass and crappie in these counties; providing a penalty, and declaring an emergency."

The bill was read second time.

Mr. Riley offered the following (committee) amendment to the bill:

Amend House bill No. 100 by striking out the words "have in his possession" and inserting in lieu thereof the following:

"Take, or catch in any one day or have in his or her possession, that have been taken or caught in any one day."

Mr. Sanders offered the following substitute for the (committee) amendment:

Substitute for (committee) amendment to House bill No. 100 by striking out all of Section 1 of said bill and inserting in lieu thereof the following:

"Section 1. That House bill No. 87, Fourth Called Session, Forty-first Legislature, be, and the same is hereby amended so as to read hereafter as follows:

"Whoever shall take or catch from the fresh waters of Harrison or Marion county, Texas, or have in his possession in either of these counties any crappie under the length of eight inches or any bass under the length of eleven inches, or whoever shall take or catch in either of these counties more than fifteen bass or more than twenty-five crappie or white perch in any one day or whoever shall have in his possession in either Harrison or Marion county more than thirty bass or more than fifty crappie or white perch shall be fined in any sum not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each fish taken or possessed in violation of this act shall constitute a separate offense."

The substitute amendment was adopted.

The amendment as substituted was then adopted.

By unanimous consent of the House, the caption was ordered amended to conform to all changes made in the body of the bill.

House bill No. 100 was then passed to engrossment.

HOUSE BILL NO. 100 ON THIRD  
READING.

Mr. Riley moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 100 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Mr. Speaker.	Maynard.
Ackerman.	McDonald.
Adkins.	McGill.
Albritton.	Mehl.
Allred.	Metcalfe.
Anderson.	Minor.
Baker.	Moore.
Barnett.	Morse.
Bateman.	Mullally.
Beck.	Murphy.
Bounds.	Nicholson.
Bradley.	Olsen.
Brice.	Palmer.
Brooks.	Pavlica.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
DeWolfe.	Purl.
Dunlap.	Quinn.
Enderby.	Ray.
Farrar.	Reader.
Finlay.	Richardson.
Forbes.	Riley.
Fuchs.	Rogers.
Gates.	Sanders.
Giles.	Shelton.
Hardy.	Sherrill.
Harding.	Simmons.
Harrison.	Sinks.
Heaton.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Holder.	Stevenson.
Hornaday.	Storey.
Jenkins.	Terrell.
Johnson	Tillotson.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Johnson of Smith.	Wallace.
Jones.	Walters.
Justiss.	Warwick.
Keeton.	West.
Keller.	Westbrook.
Kemble.	Williams
Kennedy.	of Sabine.
King.	Williams
Kinnear.	of Travis.
Long of Houston.	Woodruff.
Magee.	Young.
Marks.	

Present—Not Voting.

Hubbard.

Absent.

Acker.	Lemens.
Avis.	Long of Wichita.
Baldwin.	Loy.
Bond.	Mankin.
Cox of Lamar.	Martin.
Duvall.	Mauritz.
Eickenroht.	McCombs.
Finn.	Montgomery.
Gilbert.	Negley.
Graves	O'Neill.
of Williamson.	Patterson.
Graves of Erath.	Prendergast.
Harman.	Reid.
Harper.	Renfro.
Hopkins.	Shaver.
Kenyon.	Tarwater.
Land.	Wiggs.
Lee.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kayton.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

The Speaker then laid House bill No. 100 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Gilbert.
Ackerman.	Giles.
Adkins.	Graves of Erath.
Albritton.	Hardy.
Allred.	Harrison.
Anderson.	Heaton.
Baker.	Hines.
Barnett.	Hogg.
Bateman.	Holder.
Beck.	Hornaday.
Bounds.	Jenkins.
Bradley.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Coltrin.	of Dimmit.
Conway.	Johnson of Smith.
Cox of Limestone.	Jones.
Davis.	Justiss.
DeWolfe.	Keeton.
Dunlap.	Keller.
Enderby.	Kemble.
Farrar.	Kennedy.
Finlay.	Kinnear.
Forbes.	Long of Houston.
Fuchs.	Magee.
Gates.	Marks.

Mauritz.	Sanders.
Maynard.	Shelton.
McCombs.	Sherrill.
McDonald.	Simmons.
McGill.	Sinks.
Mehl.	Snelgrove.
Metcalfe.	Speck.
Minor.	Stephens.
Moore.	Stevenson.
Morse.	Storey.
Mullally.	Terrell.
Murphy.	Tillotson.
Nicholson.	Turner.
Olsen.	Van Zandt.
Palmer.	Waddell.
Pavlica.	Wallace.
Petsch.	Walters.
Pool.	Warwick.
Pope of Jones.	West.
Pope of Nueces.	Westbrook.
Purl.	Williams
Quinn.	of Sabine.
Ray.	Williams
Reader.	of Travis.
Richardson.	Woodruff.
Riley.	Young.
Rogers.	

Present—Not Voting.

Hubbard.

Absent.

Acker.	Lee.
Avis.	Lemens.
Baldwin.	Long of Wichita.
Bond.	Loy.
Cox of Lamar.	Mankin.
Duvall.	Martin.
Eickenroht.	Montgomery.
Finn.	Negley.
Graves	O'Neill.
of Williamson.	Patterson.
Harding.	Prendergast.
Harman.	Reid.
Harper.	Renfro.
Hopkins.	Shaver.
Kenyon.	Tarwater.
King.	Wiggs.
Land.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kayton.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

HOUSE BILL NO. 103 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 103, A bill to be entitled

"An Act amending Chapter 91 of the General and Special Laws of Texas of 1927 of the First Called Session of the Fortieth Legislature, entitled 'An Act providing for a rural school supervisor in lieu of the teacher's institute as required under Article 2691, and providing for the payment of the salary of said rural school supervisor in counties having a population of 36,750 to 37,550 according to the Federal census of 1920, and a scholastic population of at least 9,000 as shown by the scholastic census report for the school year of 1926-27, and declaring an emergency,' so as to provide for the payment of expenses of said rural school supervisor, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 139 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 139, A bill to be entitled "An Act amending Chapter 42, Local and Special Laws, Regular Session of the Thirty-seventh Legislature of the State of Texas, entitled 'An Act to create a more efficient and better road system for Brazos county, Texas,' as same is amended by Chapter 98, Special Laws of the Fortieth Legislature, First Called Session in 1927, by adding thereto Section 13, restricting the issuance of warrants against the road and bridge fund of Brazos county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### SENATE BILL NO. 92 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 92, A bill to be entitled "An Act to subject to taxation for school purposes all land in Cherokee county, Texas, owned by the State of Texas and Prison Commission of Texas, except the land heretofore set aside for the Rusk State Hospital, but including the land heretofore set aside to the Agricultural and Mechanical College for reforestation purposes, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 54 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to third reading,

S. B. No. 54, A bill to be entitled "An Act authorizing counties of a certain class according to population and authorizing counties of a certain class according to population and cities situated therein owning a joint interest with such counties in a hospital to lease such hospital to be operated as such; prescribing regulations related to said subject, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 61 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 61, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incident to said purposes, and declaring an emergency."

The bill was read second time.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 61, Section 1, by substituting the figures "8349" for "11,242."

The amendment was adopted.

Senate bill No. 61 was then passed to third reading.

#### SENATE BILL NO. 96 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 96, A bill to be entitled "An Act authorizing commissioners courts in counties in Texas having a population of at least 202,000 inhabitants, as shown by the census of 1920, to levy a direct tax of not over 5 cents on the valuation of \$100 for the purpose of advertising the cities of the county seats and counties."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 41 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 41, A bill to be entitled "An Act realizing, approving and validating improvement bonds of levee improvement districts created under authority of Section 59, Article 16, Constitution, and levy of taxes in payment thereof, where such bonds have been approved by the Attorney General, registered by the State Comptroller, and thereafter sold and delivered; enacting provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 94 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 94, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a population of not less than 4660 nor more than 4700 according to the Federal Census of 1920; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### BILL ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Allred, Senate bill No. 46 was ordered printed in mimeograph form, and not otherwise printed.

#### SENATE BILL NO. 53 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 53, A bill to be entitled "An Act amending Article 916 of the Penal Code of the State of Texas of 1925 relating to wild turkeys so as to further extend the period of time during which it is unlawful to take, kill, wound, shoot at, hunt for, or possess, dead or alive, wild turkeys in certain counties, and declaring an emergency."

The bill was read second time.

Mr. Dunlap offered the following amendments to the bill:

(1)

Add the counties of Gregg, Marion, Harrison, Cass and Bowie.

(2)

Strike out the names of the counties of Willacy, Kennedy, Brooks and Cameron.

The amendments were severally adopted.

Senate bill No. 53 was then passed to third reading.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 69, to the Committee on Insurance.

Senate bill No. 100, to the Judiciary Committee.

#### CHANGE IN COMMITTEE ANNOUNCED.

The Speaker appointed Mr. Harrison in the place of Mr. McGill on the committee appointed on Senate concurrent resolution No. 15.

#### RECESS.

On motion of Mr. Morse, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Holder.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 3 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Petsch, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

#### BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Minor, Senate bill No. 87 was ordered not printed.

**BILL ORDERED PRINTED IN  
MIMEOGRAPH FORM.**

On motion of Mr. Allred, Senate bill No. 93 was ordered printed in mimeograph form, and not otherwise printed.

**BILLS LAID ON THE TABLE SUB-  
JECT TO CALL.**

On motion of Mr. Bradley, House bill No. 5 was laid on the table subject to call.

On motion of Mr. Pope of Nueces, Senate bill No. 95 was laid on the table subject to call.

**SENATE BILL NO. 82 ON SECOND  
READING.**

On motion of Mr. Hubbard, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 82, A bill to be entitled "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called Session of the Forty-first Legislature, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Finn offered the following amendment to the bill:

Amend Senate bill No. 82 as follows: Insert after the word "land," where the same occurs in the first and second sentences of Section 14, the following: "for road right of way purposes"; and in the second sentence after the word "or" where same follows the word "land," insert the word "such," and change the word "material" to "materials."

The amendment was adopted.

Mr. Storey offered the following amendment to the bill:

Amend Senate bill No. 82 by adding a new paragraph just preceding the emergency paragraph of said bill, to read as follows: "Provided, that when condemnation proceedings are instituted, either by the commissioners court of the county or the State Highway Commission, that such proceedings shall be instituted in the county where the land lies, and venue is hereby fixed in such county," and amend the caption to conform.

The amendment was adopted.

Senate bill No. 82 was then passed to third reading.

**SENATE BILL NO. 82 ON THIRD  
READING.**

Mr. Hubbard moved that the constitutional rule requiring bills to be read

on three several days be suspended and that Senate bill No. 82 be placed on its third reading and final passage.

Yeas—90.

Acker.	Maynard.
Adkins.	McGill.
Allred.	Mehl.
Anderson.	Minor.
Baker.	Morse.
Barnett.	Mullally.
Bateman.	Murphy.
Bounds.	Negley.
Bradley.	Nicholson.
Brice.	Olsen.
Brooks.	Pavlica.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
Enderby.	Purl.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Fuchs.	Richardson.
Gates.	Riley.
Gilbert.	Sanders.
Giles.	Shaver.
Harding.	Shelton.
Heaton.	Sherrill.
Hogg.	Simmons.
Holder.	Sinks.
Hornaday.	Snelgrove.
Hubbard.	Speck.
Jenkins.	Stephens.
Johnson	Stevenson.
of Dallam.	Storey.
Johnson	Tarwater.
of Dimmit.	Terrell.
Johnson of Smith.	Turner.
Justiss.	Waddell.
Keller.	Wallace.
Kemble.	Walters.
King.	Warwick.
Kinnear.	West.
Lee.	Westbrook.
Long of Houston.	Williams
Magee.	of Travis.
Marks.	Woodruff.
Mauritz.	Young.

Nays—11.

Ackerman.	Harrison.
Albritton.	Kennedy.
Bond.	Long of Wichita.
Cox of Lamar.	Palmer.
Graves of Erath.	Renfro.
Hardy.	

Present—Not Voting.

Mr. Speaker.	Jones.
Farrar.	Rogers.

Absent.

Avis.	Baldwin.
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Beck.	Mankin.
DeWolfe.	Martin.
Dunlap.	McCombs.
Duvall.	McDonald.
Eickenroht.	Metcalf.
Graves	Montgomery.
of Williamson.	Moore.
Harman.	O'Neill.
Harper.	Patterson.
Hines.	Prendergast.
Hopkins.	Reid.
Keeton.	Tillotson.
Kenyon.	Van Zandt.
Land.	Wiggs.
Lemens.	Williams
Loy.	of Sabine.

**Absent—Excused.**

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kayton.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

The Speaker then laid Senate bill No. 82 before the House on its third reading and final passage.

The bill was read third time.

By unanimous consent, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 82 was then passed.

(Speaker in the chair.)

**HOUSE BILL NO. 136 ON SECOND READING.**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 136, A bill to be entitled "An Act granting the consent of the Legislature of the State of Texas to O. F. Whittle, of Miami, Florida, and Lester G. Seymour, of Kenton, Ohio, their heirs and assigns, to construct, maintain and operate a toll bridge and causeway across the bay known as and called Laguna Madre, in Cameron county, Texas, from Point Isabel, Texas, to Padre Island, subject to the provisions of an Act of Congress of the United States entitled 'An Act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, and granting the right to sell, transfer and mortgage all the rights, powers and privileges conferred by this act to said O. F. Whittle and Lester G. Seymour, their heirs and assigns, and providing that any corporation to which or any

persons to whom such rights, powers and privileges may be sold, assigned or transferred, or who shall acquire the same by mortgage, foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person."

The bill was read second time.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 136, Section 1, by adding between the words "operate" and "a toll bridge," the following: "not to exceed fifty (50) years."

The amendment was adopted.

Mr. Hornaday offered the following amendment to the bill:

Amend House bill No. 136 by adding section at end of bill to read as follows: "The fact that there is now no bridge at place above described, and that one is greatly and immediately needed, creates an emergency and an imperative public necessity requiring that the constitutional rule providing bills be read on three separate days be suspended and the same is hereby suspended, and it is so enacted," and amend caption accordingly.

The amendment was adopted.

Mr. Pope of Nueces offered the following amendment to the bill:

Amend House bill No. 136 by adding Section 1a at the end of Section 1 to read as follows:

"Section 1a. This grant shall become null and void if said toll bridge and improvements be not constructed and completed within three years from the date this act goes into effect."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 136 was then passed to engrossment.

**HOUSE BILL NO. 132 ON PASSAGE TO ENGROSSMENT.**

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 132. A bill to be entitled "An Act declaring the public policy of this State relating to the production of cotton crop rotation; declaring the conditions which justify invoking the police power in regulating and curtailing the production of cotton, for the purpose of preventing root rot and other cotton diseases, retaining the fertility of the soil and promoting agricultural diversification; providing the maximum

number of acres to be planted in cotton annually, and declaring an emergency."

The bill having heretofore been read second time, with amendment by Mr. McDonald, amendment by Mr. Tarwater to the amendment, and point of order by Mr. Jones, pending.

The Speaker, having declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

Mr. Anderson moved the previous question on the point of order, and the main question was ordered.

Question—Shall the House sustain the point of order?

Mr. Tillotson, discussing the point of order, said:

Mr. Speaker: I raise the point of order against House bill No. 132 and the amendment thereto offered by the author of the bill, that it violates the provisions of the Constitution, and submit the following arguments in support of the point of order:

House bill No. 132 declares it unlawful for any person to plant more than 60 per cent of his cultivated lands in cotton. If he plants more than the 60 per cent, then the land itself shall thereby automatically become liable in liquidated damages to the State, and the State is declared to have a preferred lien on all the land of such person for liquidated damages. Not a part of his land, but all of his land.

It also allows county attorneys 15 per cent additional of the amount collected to the fees now prescribed in tax cases, which fee it is declared he shall not be required to account for.

Any citizen is authorized to maintain an injunction against any person violating the act, and may enjoin both the cultivation of the land and the harvesting of the crop.

The restrictions are also extended to tenants.

The amendment offered to the bill by the author provides equally that it shall be unlawful to plant and cultivate more than 60 per cent of the cultivated land owned by any one person in cotton in any one year. It prescribes a misdemeanor penalty. It allows any citizen to enjoin another in cultivating or harvesting the cotton planted in violation of the restrictions. The provisions of the bill are modified in the amendment only to the extent of the elimination of the declaration that all of the owner's lands shall be subject to a preferred lien by the State as liquidated damages for violation and omits the right of the

county attorney to collect the additional fee.

Section 3, of Article 1, of our Constitution, is the provision guaranteeing our citizens equal rights and privileges.

The arbitrary taking from cotton farmers of the right to plant more than a maximum acreage in cotton, or 60 per cent of his cultivated land, is a denial of equal rights among citizens; inasmuch as a like proscription upon the rights and privileges of other classes of property owners is not recognized by our Constitution or our statutory policy.

Neither does the Constitution, with all its liberality in giving power to the Legislature, contemplate a declaration of public policy on the part of the State that one citizen may be authorized to enjoin another citizen from the right to use his own property for a lawful and useful purpose, as is provided in both the bill and the amendment, that any citizen may enjoin another from planting and cultivating more than 60 per cent of his cultivated lands in cotton, or in gathering such crop after it may have been produced.

Section 17 of Article 1, of the Constitution, is that provision which declares that no person's property shall be taken, damaged or destroyed, or applied to public use, without adequate compensation being made.

In the first place, the prohibition expressed in the bill, and the amendment, against the right to use land as the owner may in his judgment determine, constitutes a taking of his property without compensation and in a manner which does not even set up the ordinary declarations of a public use. There is neither suggestion for compensation to the owner nor of consent of the owner to the taking.

Section 19, of Article 1, is what we know as the due course of law provision, which says that "No citizen shall be deprived of life, liberty, property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land."

The prohibition against the right of a property owner to use the lands which his labor has acquired, and which throughout our constitutional history has been guaranteed to him, is a deprivation of his constitutional privilege and a denial of his right to exercise control and use of his private property.

The provisions of the bill clearly violate all these constitutional guarantees to the citizen for acquiring, owning, controlling and using property.

The use of lands for agricultural purposes is a private use, and has never been declared as having such a relation to the public interests as authorizes the right of public regulation. It impairs a fundamental right of the citizen; the right to use and enjoy a lawful thing that is no more a matter of public interest than other legitimate private enterprises.

The power of the Legislature to legislate is unlimited in all instances, except where a limitation is expressed in the Constitution, either from definite inhibitions, or from conclusive implication, and its actions cannot be questioned by courts merely because judges consider them unwise, or even oppressive, if a constitutional restriction which they are asserted to transcend cannot be distinctly indicated.

Also, the police power exercised by the State is recognized as that authority which resides in every sovereignty to pass all laws for the government of the State deemed essential to the preservation of the life and health of the people, and even for the protection of the public welfare, where such exercise of authority does not contravene some restriction expressed in the Constitution.

The point of order against House bill No. 132, and likewise against the amendment thereto by the author, is that it is in direct conflict with specific provisions of the Constitution, and therefore it is not fully within the general powers of the Legislature to act; and that it may not be under the authority of the police power because of the same constitutional limitations.

In the case of *Rumbo vs. Winterrowd*, decided by the Court of Civil Appeals at Dallas in 1921, in passing upon what is generally known as the landlord and tenant law, which was an act providing that no owner of land should rent his property for a greater or different rental than one-third of the value of the grain and more than one-fourth of the value of the cotton raised on the land. The issues raised in that case are directly applicable to the action involved in the pending proposed legislation. Both involve the right to control, enjoy and use property in the manner contemplated and guaranteed to the individual by the Constitution. Both take private property without compensation. Both seek to regulate private property in a way recognized only when property is charged with public use. Both violate a provision of the Constitution known as the due course of the law.

Both are in absolute violation of the principle of rights among citizens in the use and enjoyment of property.

A few excerpts from the decision of the Court of Civil Appeals in the landlord and tenant case are submitted in support of the point of order. The court says: "There is nothing about the ownership or renting of agricultural land for raising grain and cotton to market as affected with any strictly public use. On the contrary, all these things are characterized by the most private use. The public cannot therefore have that interest possessed in the case of a public utility or of a monopoly which justifies the infraction of vested private rights and ownership by legislative enactment. This law singles out one particular set of citizens, those who own farm land, and says that they shall make only a certain kind of contract for its use. \* \* \* The law thus impairs the ownership of farm lands, and amounts to the taking of property without the due course of the law of the land required by the State Constitution. \* \* \* It makes a particular class of citizens the wards of the State in relation to a specific matter purely private in its nature, and bearing no such peculiar relation to the public interest as superinduces the right of public regulation. It greatly impairs a fundamental right of the citizens, the right to freely construct with reference to a lawful thing of as little public interest as any other legitimate private undertaking."

Quoting from various decisions, the court further says: "It must be conceded that there is a limit to the valid exercise of the police power by the State; otherwise the Fourteenth Amendment of the United States Constitution would have no efficacy and the Legislatures of the States would have unbounded power and it would be enough to say any piece of legislation was enacted to conserve the morals, health, or safety of the people. \* \* \* Such legislation may invade one class of rights today and another tomorrow. The property which every man has in his own labor is the original foundation of all other property, so it is the most sacred and inviolable. The patrimony of the poor man lies in the strength and dexterity of his own hands; and to hinder him from employing these in what manner he may think proper, without injury to his neighbor, is a plain violation to this most sacred property."

The House then overruled the point of order by the following vote:

## Yeas—42.

Ackerman.	Johnson of Smith.
Allred.	Jones.
Anderson.	Justiss.
Barnett.	McGill.
Bateman.	Mullally.
Beck.	Pavlica.
Bond.	Pool.
Bounds.	Pope of Jones.
Brooks.	Renfro.
Coltrin.	Sanders.
Conway.	Shelton.
Cox of Lamar.	Simmons.
DeWolfe.	Sinks.
Dunlap.	Stephens.
Enderby.	Storey.
Giles.	Tarwater.
Hardy.	Tillotson.
Harrison.	Waddell.
Heaton.	Wallace.
Hornaday.	Walters.
Jenkins.	Warwick.

## Nays—49.

Adkins.	Long of Wichita.
Albritton.	Marks.
Baker.	Maynard.
Bradley.	McDonald.
Brice.	Mehl.
Cox of Limestone.	Minor.
Finn.	Moore.
Finlay.	Morse.
Forbes.	Olsen.
Fuchs.	Palmer.
Gates.	Petsch.
Hines.	Pope of Nueces.
Hogg.	Quinn.
Holder.	Ray.
Hopkins.	Reader.
Johnson	Richardson.
of Dimmit.	Rogers.
Keeton.	Snelgrove.
Keller.	Speck.
Kemble.	Stevenson.
Kennedy.	Terrell.
Kinnear.	Turner.
Lee.	West.
Lemens.	Westbrook.
Long of Houston.	Woodruff.

## Present—Not Voting.

Mr. Speaker.	King.
Davis.	Magee.
Farrar.	Nicholson.
Graves of Erath.	Purl.
Johnson	Shaver.
of Dallam.	Sherrill.
Kayton.	Van Zandt.

## Absent.

Acker.	Eickenroht.
Avis.	Gilbert.
Baldwin.	Graves
Duvall.	of Williamson.

Harding.	Murphy.
Harman.	Negley.
Harper.	O'Neill.
Hubbard.	Patterson.
Kenyon.	Prendergast.
Land.	Reid.
Loy.	Riley.
Mankin.	Wiggs.
Martin.	Williams
Mauritz.	of Sabine.
McCombs.	Williams
Metcalfe.	of Travis.
Montgomery.	Young.

## Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

Mr. Finlay offered the following substitute for the amendment by Mr. Tarwater:

Substitute for Tarwater amendment: Strike out all of Section 7 and insert in lieu thereof the following: "This act shall take effect when Virginia, North Carolina, South Carolina, Florida, Alabama, Georgia, Mississippi, Louisiana, Tennessee, Missouri, Arkansas, Oklahoma, New Mexico, Arizona and California shall have enacted a similar law limiting the growing of cotton."

On motion of Mr. McDonald, the call of the House was extended until 6 o'clock p. m. today.

(Pending consideration of the amendments, Mr. Keller occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Cox of Limestone raised a point of order on further consideration of the amendment by Mr. Finlay, on the ground that it is not germane to the bill.

The Speaker sustained the point of order.

Speaker Barron then ruled the pending amendment by Mr. Tarwater out of order.

Mr. Heaton moved that further consideration of the bill be postponed indefinitely.

Mr. McDonald moved to table the motion to postpone the bill indefinitely.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—55.

Mr. Speaker.	Lemens.
Adkins.	Long of Houston.
Albritton.	Marks.
Baker.	Mauritz.
Barnett.	McDonald.
Beck.	Mehl.
Bradley.	Minor.
Cox of Limestone.	Morse.
Davis.	Negley.
Finn.	Olsen.
Finlay.	Palmer.
Forbes.	Petsch.
Fuchs.	Pope of Nueces.
Gates.	Purl.
Hardy.	Quinn.
Hogg.	Ray.
Holder.	Reader.
Hopkins.	Richardson.
Hornaday.	Riley.
Hubbard.	Sherrill.
Johnson	Simmons.
of Dimmit.	Snelgrove.
Kayton.	Speck.
Keeton.	Stevenson.
Keller.	Turner.
Kemble.	West.
Kinnear.	Westbrook.
Lee.	Woodruff.

Nays—49.

Ackerman.	Long of Wichita.
Allred.	Loy.
Anderson.	Maynard.
Bateman.	McCombs.
Bond.	McGill.
Bounds.	Moore.
Brooks.	Mullally.
Coltrin.	Murphy.
Conway.	Pavlica.
Cox of Lamar.	Pool.
DeWolfe.	Pope of Jones.
Enderby.	Renfro.
Gilbert.	Rogers.
Giles.	Sanders.
Graves	Shelton.
of Williamson.	Sinks.
Graves of Erath.	Stephens.
Harding.	Storey.
Harrison.	Tarwater.
Heaton.	Tillotson.
Hines.	Van Zandt.
Jenkins.	Waddell.
Johnson of Smith.	Walters.
Jones.	Warwick.
Justiss.	Young.

Present—Not Voting.

Brice.	Magee.
Farrar.	Nicholson.
Johnson	Williams
of Dallam.	of Travis.
Kennedy.	

Absent.

Acker.	Martin.
Avis.	Metcalfe.
Baldwin.	Montgomery.
Dunlap.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Prendergast.
Harman.	Reid.
Harper.	Shaver.
Kenyon.	Terrell.
King.	Wiggs.
Land.	Williams
Mankin.	of Sabine.

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

Mr. Kennedy offered the following amendment to the amendment:

Amend amendment No. 1 to House bill No. 132 by striking out all the words between the words "this law" in Section 4, line 7, and the words "the costs" in Section 4, line 14.

Mr. Barnett moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Kennedy, it was adopted.

Question then recurring on the amendment by Mr. McDonald, yeas and nays were demanded.

The amendment as amended was then adopted by the following vote:

Yeas—69.

Mr. Speaker.	Giles.
Adkins.	Hardy.
Albritton.	Hines.
Allred.	Hogg.
Baker.	Holder.
Barnett.	Hopkins.
Beck.	Hornaday.
Bond.	Hubbard.
Bradley.	Jenkins.
Coltrin.	Johnson
Cox of Limestone.	of Dimmit.
Davis.	Keeton.
Finn.	Keller.
Finlay.	Kemble.
Forbes.	Kennedy.
Fuchs.	Kinnear.
Gates.	Lee.

Lemens.	Richardson.
Magee.	Riley.
Marks.	Rogers.
Mauritz.	Sanders.
McCombs.	Shaver.
McDonald.	Shelton.
Mehl.	Simmons.
Moore.	Speck.
Morse.	Stephens.
Murphy.	Stevenson.
Olsen.	Tarwater.
Palmer.	Turner.
Petsch.	Van Zandt.
Pope of Nueces.	Warwick.
Purl.	West.
Quinn.	Westbrook.
Ray.	Woodruff.
Reader.	

Nays—28.

Ackerman.	Long of Houston.
Bounds.	Loy.
Brooks.	Maynard.
Conway.	McGill.
Cox of Lamar.	Mullally.
DeWolfe.	Pavlica.
Enderby.	Pool.
Gilbert.	Pope of Jones.
Graves	Renfro.
of Williamson.	Sinks.
Graves of Erath.	Snelgrove.
Harrison.	Tillotson.
Heaton.	Walters.
Johnson of Smith.	Young.
Justiss.	

Present—Not Voting.

Anderson.	Sherrill.
Brice.	Wallace.
Farrar.	Williams
Kayton.	of Travis.
Nicholson.	

Absent.

Acker.	Mankin.
Avis.	Martin.
Baldwin.	Metcalfe.
Bateman.	Minor.
Dunlap.	Montgomery.
Duvall.	Negley.
Eickenroht.	O'Neill.
Harding.	Patterson.
Harman.	Prendergast.
Harper.	Reid.
Johnson	Storey.
of Dallam.	Terrell.
Jones.	Waddell.
Kenyon.	Wiggs.
King.	Williams
Land.	of Sabine.
Long of Wichita.	

Absent—Excused.

Carpenter.	Hefley.
Chastain.	Johnson of Scurry.

Kincaid.	Thompson.
McKean.	Veatch.
Mosely.	Webb.
Rountree.	Williams
Savage.	of Hardin.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 132 then failed to pass to engrossment by the following vote:

Yeas—48.

Mr. Speaker.	Loy.
Adkins.	Marks.
Albritton.	Mauritz.
Baker.	McDonald.
Beck.	Mehl.
Bradley.	Morse.
Cox of Limestone.	Olsen.
Davis.	Palmer.
Finn.	Petsch.
Forbes.	Pope of Nueces.
Fuchs.	Purl.
Gates.	Quinn.
Hardy.	Ray.
Hines.	Reader.
Hogg.	Richardson.
Holder.	Rogers.
Hubbard.	Shaver.
Jenkins.	Simmons.
Johnson	Speck.
of Dimmit.	Stevenson.
Keeton.	West.
Keller.	Westbrook.
Kemble.	Williams
Lee.	of Travis.
Lemens.	Woodruff.

Nays—49.

Ackerman.	Long of Houston.
Allred.	Long of Wichita.
Anderson.	Maynard.
Bateman.	McCombs.
Bond.	McGill.
Bounds.	Moore.
Brooks.	Mullally.
Coltrin.	Murphy.
Conway.	Pavlica.
Cox of Lamar.	Pool.
DeWolfe.	Pope of Jones.
Enderby.	Renfro.
Finlay.	Sanders.
Gilbert.	Shelton.
Giles.	Sinks.
Graves	Snelgrove.
of Williamson.	Stephens.
Graves of Erath.	Storey.
Harrison.	Tarwater.
Heaton.	Tillotson.
Johnson	Van Zandt.
of Dallam.	Waddell.
Johnson of Smith.	Walters.
Jones.	Warwick.
Justiss.	Young.
King.	

Present—Not Voting.

Barnett.	Magee.
Brice.	Nicholson.
Farrar.	Riley.
Hornaday.	Sherrill.
Kayton.	Turner.
Kennedy.	

Absent.

Acker.	Martin.
Avis.	Metcalfe.
Baldwin.	Minor.
Dunlap.	Montgomery.
Duvall.	Negley.
Eickenroht.	O'Neill.
Harding.	Patterson.
Harman.	Prendergast.
Harper.	Reid.
Hopkins.	Terrell.
Kenyon.	Wiggs.
Kinnear.	Williams
Land.	of Sabine.
Mankin.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

Reasons for Votes.

To regulate the farmer by law what he may plant and what he can't plant is ridiculous and foolish, notwithstanding the constitutional question.

To my mind, the education diversification and co-operation is the only solution.

Therefore, I vote "nay."

PAVLICA.

I voted "nay" on House bill No. 132, seeking to control cotton acreage, because I believe the bill to be unconstitutional and that its effect would be in favor of the farmers of other States which do not have acreage control and against the farmers of Texas.

DeWOLFE.

BILLS LAID ON THE TABLE SUBJECT TO CALL.

By unanimous consent, House bills Nos. 93 and 123 were laid on the table subject to call.

MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 18, 1930.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate announces appointment of Senator Parr as conferee on Senate bill No. 30, replacing Senator Beck.

Has adopted the free conference committee report on House bill No. 10 by a two-thirds vote of 29 yeas and 0 nays.

Has passed

H. B. No. 158, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to organization of the Fifty-first Judicial District."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 37, "An Act cancelling and annulling the lease which Travis county holds against the court house and jail property owned by the State of Texas."

S. B. No. 82, "An Act to amend Section 1 of Chapter 10 of the Acts of the Third Called Session of the Forty-first Legislature, and declaring an emergency."

S. B. No. 63, "An Act to create the One Hundred and Twentieth Judicial District of Texas and to designate the counties constituting said district, and fixing the time for holding court therein; reorganizing the Eighty-sixth Judicial District of Texas, and designating the counties constituting said district and fixing the time for holding court in the various districts of said county, and declaring an emergency."

S. B. No. 62, "An Act to amend Title 76 of the Revised Civil Statutes of Texas of 1925 by adding thereto Article 4644a, providing that no injunction shall be granted to stay or prevent the vacating, abandonment or closing by the city council or governing body of any incorporated city of this State of any street or alley in any such incorporated city of this State, except at the suit of the owner or lessee of real property actually abutting on that part of such street or alley actually vacated, abandoned or closed, and then only in the event that the damages of said owner or lessee shall not have been released or shall not have been ascertained and paid in a condemnation suit by such city; provided, that any person who, under existing laws, has the right to

enjoin a city from vacating, abandoning or closing any street or alley of such city and whose right to such injunction is denied by this act, shall have the right to an action for damages for any injury that he may sustain by reason of the vacating, abandoning or closing of any street or alley by such city, and declaring an emergency."

S. B. No. 44, "An Act amending Section 1 of Senate bill No. 26, Acts of the Fourth Called Session of the Forty-first Legislature, with reference to salaries of county judges and county commissioners, and declaring an emergency."

S. B. No. 39, "An Act providing for procuring and filing in the General Land Office certain papers, maps, sketches and reports relating to the survey of lands by virtue of certificates issued by the State to the Texas and Pacific Railway Company and its predecessors in title, now in the custody of said railway company, the same to become archives of the General Land Office; providing for the authentication of said papers, maps, sketches and reports and making same admissible in evidence as other archives of said office; enacting other regulations and provisions in connection with said subject-matter, and declaring an emergency."

#### HOUSE BILL NO. 103 ON THIRD READING.

Mr. Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108.

Mr. Speaker.	Dunlap.
Ackerman.	Enderby.
Adkins.	Farrar.
Albritton.	Finn.
Allred.	Finlay.
Anderson.	Forbes.
Baker.	Fuchs.
Barnett.	Gates.
Beck.	Gilbert.
Bond.	Giles.
Bounds.	Graves
Bradley.	of Williamson.
Brice.	Graves of Erath.
Brooks.	Hardy.
Coltrin.	Harrison.
Conway.	Heaton.
Cox of Lamar.	Hines.
Cox of Limestone.	Hogg.
Davis.	Holder.
DeWolfe.	Hopkins.

Hornaday.	Palmer.
Hubbard.	Pavlica.
Johnson	Petsch.
of Dallam.	Pool.
Johnson	Pope of Jones.
of Dimmit.	Purl.
Johnson of Smith.	Quinn.
Jones.	Ray.
Justiss.	Reader.
Kayton.	Renfro.
Keeton.	Richardson.
Keller.	Riley.
Kemble.	Rogers.
Kennedy.	Sanders.
King.	Shaver.
Kinnear.	Shelton.
Lee.	Sherrill.
Lemens.	Simmons.
Long of Houston.	Sinks.
Loy.	Snelgrove.
Magee.	Stephens.
Marks.	Stevenson.
Mauritz.	Storey.
Maynard.	Tillotson.
McCombs.	Turner.
McDonald.	Van Zandt.
McGill.	Waddell.
Mehl.	Wallace.
Minor.	Walters.
Moore.	Warwick.
Morse.	West.
Mullally.	Westbrook.
Murphy.	Williams
Negley.	of Travis.
Nicholson.	Woodruff.
Olsen.	Young.

#### Absent.

Acker.	Martin.
Avis.	Metcalf.
Baldwin.	Montgomery.
Bateman.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Pope of Nueces.
Harding.	Prendergast.
Harman.	Reid.
Harper.	Speck.
Jenkins.	Tarwater.
Kenyon.	Terrell.
Land.	Wiggs.
Long of Wichita.	Williams
Mankin.	of Sabine.

#### Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid House bill No. 103 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	Long of Houston.
Ackerman.	Loy.
Adkins.	Magee.
Albritton.	Marks.
Allred.	Mauritz.
Anderson.	Maynard.
Baker.	McDonald.
Barnett.	McGill.
Beck.	Mehl.
Bond.	Minor.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Mullally.
Brooks.	Murphy.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Lamar.	Palmer.
Cox of Limestone.	Pavlica.
Davis.	Petsch.
DeWolfe.	Pool.
Dunlap.	Pope of Jones.
Enderby.	Pope of Nueces.
Finn.	Purl.
Finlay.	Quinn.
Forbes.	Ray.
Fuchs.	Reader.
Gates.	Renfro.
Gilbert.	Richardson.
Giles.	Riley.
Graves of Erath.	Rogers.
Hardy.	Sanders.
Harrison.	Shelton.
Heaton.	Sherrill.
Hines.	Simmons.
Hogg.	Sinks.
Holder.	Snelgrove.
Hopkins.	Speck.
Hornaday.	Stephens.
Hubbard.	Stevenson.
Johnson	Storey.
of Dallam.	Tarwater.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Jones.	Waddell.
Justiss.	Wallace.
Kayton.	Walters.
Keeton.	Warwick.
Keller.	West.
Kemble.	Westbrook.
Kennedy.	Williams
King.	of Travis.
Kinnear.	Woodruff.
Lee.	Young.
Lemens.	

Absent.

Acker.	Duvall.
Avis.	Eickenroht.
Baldwin.	Farrar.
Bateman.	

Graves	Metcalfe.
of Williamson.	Montgomery.
Harding.	Olsen.
Harman.	O'Neill.
Harper.	Patterson.
Jenkins.	Prendergast.
Kenyon.	Reid.
Land.	Shaver.
Long of Wichita.	Terrell.
Mankin.	Wiggs.
Martin.	Williams
McCombs.	of Sabine.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

HOUSE BILL NO. 136 ON THIRD READING.

Mr. Hornaday moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Hardy.
Adkins.	Harman.
Albritton.	Harrison.
Allred.	Heaton.
Anderson.	Hines.
Baker.	Holder.
Barnett.	Hopkins.
Beck.	Hornaday.
Bond.	Hubbard.
Bounds.	Jenkins.
Bradley.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Coltrin.	of Dimmit.
Conway.	Johnson of Smith.
Cox of Lamar.	Jones.
Cox of Limestone.	Justiss.
Davis.	Kayton.
DeWolfe.	Keeton.
Dunlap.	Keller.
Enderby.	Kemble.
Farrar.	King.
Finn.	Kinnear.
Finlay.	Lee.
Forbes.	Lemens.
Fuchs.	Long of Houston.
Gates.	Loy.
Gilbert.	Magee.
Giles.	Marks.
Graves	Mauritz.
of Williamson.	Maynard.
Graves of Erath.	McDonald.

McGill.	Shaver.
Mehl.	Shelton.
Minor.	Sherrill.
Moore.	Simmons.
Morse.	Sinks.
Mullally.	Snelgrove.
Murphy.	Speck.
Negley.	Stephens.
Nicholson.	Stevenson.
Olsen.	Storey.
Palmer.	Tarwater.
Pavlica.	Terrell.
Petsch.	Tillotson.
Pool.	Turner.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Waddell.
Purl.	Wallace.
Quinn.	Walters.
Ray.	Warwick.
Reader.	West.
Renfro.	Westbrook.
Riley.	Woodruff.
Rogers.	Young.
Sanders.	

Nays—1.

Kennedy.

Present—Not Voting.

Bateman.	Richardson.
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Absent.

Acker.	Martin.
Ackerman.	McCombs.
Avis.	Metcalfe.
Baldwin.	Montgomery.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Prendergast.
Harper.	Reid.
Hogg.	Wiggs.
Kenyon.	Williams
Land.	of Sabine.
Long of Wichita.	Williams
Mankin.	of Travis.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid House bill No. 136 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Albritton.
Ackerman.	Allred.
Adkins.	Anderson.

Baker.	Loy.
Barnett.	Magee.
Beck.	Marks.
Bounds.	Mauritz.
Bradley.	Maynard.
Brice.	McCombs.
Brooks.	McDonald.
Coltrin.	McGill.
Conway.	Mehl.
Cox of Lamar.	Minor.
Cox of Limestone.	Moore.
Davis.	Morse.
Dunlap.	Mullally.
Enderby.	Murphy.
Farrar.	Negley.
Finn.	Nicholson.
Forbes.	Olsen.
Fuchs.	Palmer.
Gates.	Pavlica.
Gilbert.	Pool.
Giles.	Pope of Jones.
Graves	Pope of Nueces.
of Williamson.	Quinn.
Graves of Erath.	Ray.
Hardy.	Reader.
Harman.	Renfro.
Harrison.	Richardson.
Heaton.	Riley.
Hines.	Rogers.
Holder.	Sanders.
Hopkins.	Shaver.
Hornaday.	Shelton.
Hubbard.	Sherrill.
Jenkins.	Simmons.
Johnson	Sinks.
of Dallam.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stephens.
Johnson of Smith.	Stevenson.
Jones.	Storey.
Justiss.	Tarwater.
Kayton.	Terrell.
Keeton.	Tillotson.
Keller.	Turner.
Kemble.	Waddell.
Kennedy.	Wallace.
King.	Walters.
Kinnear.	Warwick.
Lee.	West.
Long of Houston.	Westbrook.
Long of Wichita.	Young.

Nays—3.

Bond.	Purl.
Finlay.	

Present—Not Voting.

Van Zandt.

Absent.

Acker.	Duvall.
Avis.	Eickenroht.
Baldwin.	Harding.
Bateman.	Harper.
DeW olfe.	Hogg.

Kenyon.	Petsch.
Land.	Prendergast.
Lemens.	Reid.
Mankin.	Wiggs.
Martin.	Williams
Metcalf.	of Sabine.
Montgomery.	Williams
O'Neill.	of Travis.
Patterson.	Woodruff.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

HOUSE BILL NO. 139 ON THIRD READING.

Mr. Barron moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111.

Mr. Speaker.	Hines.
Adkins.	Hogg.
Albritton.	Holder.
Allred.	Hopkins.
Anderson.	Hornaday.
Baker.	Hubbard.
Barnett.	Jenkins.
Beck.	Johnson
Bond.	of Dallam.
Bounds.	Johnson
Bradley.	of Dimmit.
Brice.	Johnson of Smith.
Brooks.	Jones.
Coltrin.	Justiss.
Conway.	Kayton.
Cox of Limestone.	Keeton.
Davis.	Keller.
DeWolfe.	Kemble.
Dunlap.	Kennedy.
Enderby.	King.
Farrar.	Kinnear.
Finn.	Lee.
Finlay.	Lemens.
Forbes.	Long of Houston.
Fuchs.	Long of Wichita.
Gates.	Loy.
Gilbert.	Magee.
Giles.	Marks.
Graves	Mauritz.
of Williamson.	Maynard.
Graves of Erath.	McCombs.
Hardy.	McDonald.
Harman.	McGill.
Harrison.	Mehl.
Heaton.	Minor.

Moore.	Shelton.
Morse.	Sherrill.
Mullally.	Simmons.
Murphy.	Sinks.
Negley.	Snelgrove.
Nicholson.	Speck.
Olsen.	Stephens.
Palmer.	Stevenson.
Pavlica.	Storey.
Pool.	Tarwater.
Pope of Jones.	Terrell.
Pope of Nueces.	Tillotson.
Purl.	Turner.
Quinn.	Van Zandt.
Ray.	Waddell.
Reader.	Wallace.
Renfro.	Walters.
Richardson.	Warwick.
Riley.	West.
Rogers.	Westbrook.
Sanders.	Woodruff.
Shaver.	Young.

Present—Not Voting.

Ackerman.

Absent.

Acker.	Metcalf.
Avis.	Montgomery.
Baldwin.	O'Neill.
Bateman.	Patterson.
Cox of Lamar.	Petsch.
Duvall.	Prendergast.
Eickenroht.	Reid.
Harding.	Wiggs.
Harper.	Williams
Kenyon.	of Sabine.
Land.	Williams
Mankin.	of Travis.
Martin.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid House bill No. 139 before the House on its third reading and final passage.

The bill was read third time and was passed.

SENATE BILL NO. 53 ON THIRD READING.

Mr. Dunlap moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—106.

Mr. Speaker.	Lemens.
Ackerman.	Long of Houston.
Adkins.	Long of Wichita.
Albritton.	Loy.
Allred.	Magee.
Anderson.	Marks.
Baker.	Maynard.
Barnett.	McCombs.
Beck.	McDonald.
Bounds.	McGill.
Bradley.	Mehl.
Brice.	Moore.
Brooks.	Morse.
Coltrin.	Mullally.
Conway.	Murphy.
Cox of Lamar.	Negley.
Cox of Limestone.	Nicholson.
Davis.	Olsen.
DeWolfe.	Palmer.
Dunlap.	Pavlica.
Enderby.	Pool.
Farrar.	Pope of Jones.
Finn.	Pope of Nueces.
Forbes.	Purl.
Fuchs.	Quinn.
Gates.	Ray.
Gilbert.	Reader.
Giles.	Renfro.
Graves	Richardson.
of Williamson.	Riley.
Graves of Erath.	Rogers.
Hardy.	Sanders.
Harman.	Shaver.
Harrison.	Shelton.
Hines.	Sherrill.
Hogg.	Simmons.
Holder.	Sinks.
Hopkins.	Snelgrove.
Hornaday.	Speck.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dallam.	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Johnson of Smith.	Turner.
Jones.	Van Zandt.
Justiss.	Waddell.
Kayton.	Walters.
Keeton.	Warwick.
Keller.	West.
Kemble.	Westbrook.
King.	Woodruff.
Kinnear.	Young.
Lee.	

## Nays—4.

Bond.	Heaton.
Finlay.	Kennedy.

## Absent.

Acker.	Bateman.
Avis.	Duvall.
Baldwin.	Eickenroht.

Harding.	O'Neill.
Harper.	Patterson.
Kenyon.	Petsch.
Land.	Prendergast.
Mankin.	Reid.
Martin.	Wiggs.
Mauritz.	Williams
Metcalf.	of Sabine.
Minor.	Williams
Montgomery.	of Travis.

## Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

The Speaker then laid Senate bill No. 53 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—103.

Mr. Speaker.	Johnson
Ackerman.	of Dallam.
Adkins.	Johnson
Albritton.	of Dimmit.
Allred.	Johnson of Smith.
Anderson.	Jones.
Baker.	Justiss.
Barnett.	Kayton.
Beck.	Keeton.
Bounds.	Keller.
Bradley.	Kemble.
Brice.	Kennedy.
Brooks.	King.
Coltrin.	Kinnear.
Conway.	Lee.
Cox of Lamar.	Lemens.
Cox of Limestone.	Long of Houston.
Davis.	Long of Wichita.
DeWolfe.	Loy.
Enderby.	Magee.
Farrar.	Marks.
Finn.	Mauritz.
Forbes.	Maynard.
Fuchs.	McCombs.
Gates.	McDonald.
Gilbert.	McGill.
Giles.	Mehl.
Graves of Erath.	Moore.
Hardy.	Morse.
Harrison.	Mullally.
Hines.	Murphy.
Hogg.	Negley.
Holder.	Nicholson.
Hopkins.	Olsen.
Hornaday.	Palmer.
Hubbard.	Pavlica.
Jenkins.	Pool.

Pope of Jones.	Snelgrove.
Pope of Nueces.	Speck.
Purl.	Stevenson.
Quinn.	Storey.
Ray.	Tarwater.
Reader.	Terrell.
Renfro.	Turner.
Richardson.	Van Zandt.
Riley.	Waddell.
Rogers.	Wallace.
Sanders.	Walters.
Shaver.	Warwick.
Shelton.	West.
Sherrill.	Westbrook.
Simmons.	Woodruff.
Sinks.	Young.

Nays—3.

Bond.	Heaton.
Finlay.	

Present—Not Voting.

Dunlap.	Stephens.
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Absent.

Acker.	Metcalf.
Avis.	Minor.
Baldwin.	Montgomery.
Bateman.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Petsch.
Graves	Prendergast.
of Williamson.	Reid.
Harding.	Tillotson.
Harman.	Wiggs.
Harper.	Williams
Kenyon.	of Sabine.
Land.	Williams
Mankin.	of Travis.
Martin.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

SENATE BILL NO. 61 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 61 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Adkins.
Ackerman.	Albritton.

Allred.	Loy.
Anderson.	Magee.
Baker.	Marks.
Barnett.	Mauritz.
Beck.	Maynard.
Bounds.	McCombs.
Bradley.	McDonald.
Brice.	McGill.
Brooks.	Mehl.
Coltrin.	Moore.
Conway.	Morse.
Cox of Lamar.	Mullally.
Cox of Limestone.	Murphy.
Davis.	Negley.
DeWolfe.	Nicholson.
Enderby.	Olsen.
Farrar.	Palmer.
Finn.	Pavlica.
Forbes.	Pool.
Fuchs.	Pope of Jones.
Gates.	Pope of Nueces.
Gilbert.	Quinn.
Giles.	Ray.
Graves of Erath.	Reader.
Hardy.	Renfro.
Harrison.	Richardson.
Heaton.	Riley.
Hines.	Rogers.
Hogg.	Sanders.
Holder.	Shaver.
Hopkins.	Shelton.
Hornaday.	Sherrill.
Hubbard.	Simmons.
Jenkins.	Sinks.
Johnson	Snelgrove.
of Dallam.	Speck.
Johnson	Stephens.
of Dimmit.	Stevenson.
Johnson of Smith.	Storey.
Jones.	Tarwater.
Justiss.	Terrell.
Kayton.	Turner.
Keeton.	Van Zandt.
Keller.	Waddell.
Kemble.	Wallace.
Kennedy.	Walters.
King.	Warwick.
Kinnear.	West.
Lee.	Westbrook.
Lemens.	Woodruff.
Long of Houston.	Young.
Long of Wichita.	

Nays—2

Bond.	Finlay.
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Absent.

Acker.	Harding.
Avis.	Harman.
Baldwin.	Harper.
Bateman.	Kenyon.
Dunlap.	Land.
Duvall.	Mankin.
Eickenroht.	Martin.
Graves	Metcalf.
of Williamson.	Minor.

Montgomery.	Tillotson.
O'Neill.	Wiggs.
Patterson.	Williams
Petsch.	of Sabine.
Prendergast.	Williams
Purl.	of Travis.
Reid.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 61 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Johnson
Ackerman.	of Dimmit.
Adkins.	Johnson of Smith.
Albritton.	Justiss.
Allred.	Kayton.
Anderson.	Keeton.
Baker.	Keller.
Barnett.	Kemble.
Beck.	Kennedy.
Bounds.	King.
Bradley.	Kinnear.
Brice.	Lee.
Brooks.	Lemens.
Coltrin.	Long of Houston.
Conway.	Long of Wichita.
Cox of Lamar.	Loy.
Cox of Limestone.	Magee.
Davis.	Marks.
Enderby.	Mauritz.
Farrar.	Maynard.
Finn.	McDonald.
Forbes.	McGill.
Fuchs.	Mehl.
Gilbert.	Minor.
Giles.	Moore.
Graves	Morse.
of Williamson.	Mullally.
Graves of Erath.	Murphy.
Hardy.	Negley.
Harman.	Nicholson.
Harrison.	Olsen.
Heaton.	Palmer.
Hines.	Pavlica.
Hogg.	Pool.
Holder.	Pope of Jones.
Hopkins.	Pope of Nueces.
Hornaday.	Purl.
Hubbard.	Quinn.
Jenkins.	Ray.
Johnson	Reader.
of Dallam.	Renfro.

Richardson.	Storey.
Riley.	Tarwater.
Rogers.	Terrell.
Sanders.	Turner.
Shelton.	Van Zandt.
Sherrill.	Waddell.
Simmons.	Walters.
Sinks.	Warwick.
Snelgrove.	West.
Speck.	Westbrook.
Stephens.	Woodruff.
Stevenson.	Young.

Nays—2.

Bond.	Finlay.
Present—Not Voting.	
Gates.	Jones.
Absent.	

Acker.	Metcalf.
Avis.	Montgomery.
Baldwin.	O'Neill.
Bateman.	Patterson.
DeWolfe.	Petsch.
Dunlap.	Prendergast.
Duvall.	Reid.
Eickenroht.	Shaver.
Harding.	Tillotson.
Harper.	Wiggs.
Kenyon.	Williams
Land.	of Sabine.
Mankin.	Williams
Martin.	of Travis.
McCombs.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

## SENATE BILL NO. 54 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Barnett.
Ackerman.	Bateman.
Adkins.	Beck.
Albritton.	Bounds.
Allred.	Bradley.
Anderson.	Brooks.
Baker.	Coltrin.

Conway.	Marks.
Cox of Lamar.	Maynard.
Cox of Limestone.	McDonald.
Davis.	McGill.
DeWolfe.	Minor.
Dunlap.	Moore.
Farrar.	Morse.
Finn.	Mullally.
Forbes.	Murphy.
Fuchs.	Negley.
Gates.	Nicholson.
Gilbert.	Olsen.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Pool.
Graves of Erath.	Pope of Jones.
Hardy.	Purl.
Harman.	Quinn.
Harrison.	Ray.
Heaton.	Reader.
Hogg.	Richardson.
Holder.	Riley.
Hopkins.	Rogers.
Hornaday.	Sanders.
Hubbard.	Shaver.
Jenkins.	Shelton.
Johnson	Sherrill.
of Dallam.	Simmons.
Johnson	Sinks.
of Dimmit.	Snelgrove.
Johnson of Smith.	Speck.
Jones.	Stephens.
Justiss.	Stevenson.
Kayton.	Storey.
Keeton.	Tarwater.
Keller.	Terrell.
Kemble.	Turner.
King.	Waddell.
Kinnear.	Wallace.
Lee.	Walters.
Lemens.	Warwick.
Long of Houston.	West.
Long of Wichita.	Westbrook.
Loy.	Young.
Magee.	

Nays—4.

Bond.	Finlay.
Enderby.	Kennedy.

Absent.

Acker.	McCombs.
Avis.	Mehl.
Baldwin.	Metcalfe.
Brice.	Montgomery.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Petsch.
Harper.	Pope of Nueces.
Hines.	Prendergast.
Kenyon.	Reid.
Land.	Renfro.
Mankin.	Tillotson.
Martin.	Van Zandt.
Mauritz.	Wiggs.

Williams	Williams
of Sabine.	of Travis.
	Woodruff.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 54 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.	Johnson
Ackerman.	of Dimmit.
Adkins.	Johnson of Smith.
Albritton.	Jones.
Allred.	Justiss.
Anderson.	Kayton.
Baker.	Keeton.
Barnett.	Keller.
Bateman.	Kemble.
Beck.	King.
Bounds.	Kinnear.
Bradley.	Lee.
Brice.	Lemens.
Brooks.	Long of Houston.
Coltrin.	Long of Wichita.
Conway.	Loy.
Cox of Lamar.	Magee.
Cox of Limestone.	Marks.
Davis.	Maynard.
DeWolfe.	McDonald.
Dunlap.	McGill.
Enderby.	Mehl.
Farrar.	Minor.
Finn.	Moore.
Forbes.	Morse.
Fuchs.	Mullally.
Gates.	Murphy.
Gilbert.	Negley.
Giles.	Nicholson.
Graves	Olsen.
of Williamson.	Palmer.
Graves of Erath.	Pavlica.
Hardy	Petsch.
Harman.	Pool.
Harrison.	Pope of Jones.
Heaton.	Pope of Nueces.
Hines.	Purl.
Hogg.	Quinn.
Holder.	Ray.
Hopkins.	Reader.
Hornaday.	Richardson.
Hubbard.	Riley.
Jenkins.	Rogers.
Johnson	Sanders.
of Dallam.	Shelton.

Sherrill.	Van Zandt.
Simmons.	Waddell.
Sinks.	Walters.
Speck.	Warwick.
Stevenson.	West.
Storey.	Westbrook.
Tarwater.	Woodruff.
Terrell.	Young.
Turner.	

Nays—4.

Bond.	Kennedy.
Finlay.	Snelgrove.

Present—Not Voting.

Stephens.

Absent.

Acker.	Montgomery.
Avis.	O'Neill.
Baldwin.	Patterson.
Duvall.	Prendergast.
Eickenroht.	Reid.
Harding.	Renfro.
Harper.	Shaver.
Kenyon.	Tillotson.
Land.	Wiggs.
Mankin.	Williams
Martin.	of Sabine.
Mauritz.	Williams
McCombs.	of Travis.
Metcalf.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

SENATE BILL NO. 92 ON THIRD READING.

Mr. Palmer moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.	Bounds.
Ackerman.	Bradley.
Adkins.	Brice.
Albritton.	Brooks.
Allred.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Davis.
Beck.	DeWolfe.

Dunlap.	McGill.
Enderby.	Mehl.
Farrar.	Minor.
Finn.	Moore.
Forbes.	Mullally.
Fuchs.	Murphy.
Gates.	Negley.
Gilbert.	Nicholson.
Giles.	Olsen.
Graves	Palmer.
of Williamson.	Pavlica.
Graves of Erath.	Petsch.
Hardy.	Pool.
Harrison.	Pope of Jones.
Hines.	Pope of Nueces.
Hogg.	Purl.
Holder.	Quinn.
Hopkins.	Ray.
Hornaday.	Reader.
Hubbard.	Richardson.
Jenkins.	Riley.
Johnson	Rogers.
of Dallam.	Sanders.
Johnson	Shelton.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Jones.	Sinks.
Justiss.	Snelgrove.
Kayton.	Speck.
Keeton.	Stevenson.
Keller.	Storey.
Kemble.	Tarwater.
Kennedy.	Terrell.
King.	Tillotson.
Kinnear.	Turner.
Lemens.	Van Zandt.
Long of Houston.	Waddell.
Long of Wichita.	Wallace.
Loy.	Walters.
Magee.	Warwick.
Marks.	West.
Mauritz.	Westbrook.
Maynard.	Woodruff.
McDonald.	Young.

Nays—4.

Bond.	Heaton.
Finlay.	Stephens.

Absent.

Acker.	Metcalf.
Avis.	Montgomery.
Baldwin.	Morse.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Prendergast.
Harman.	Reid.
Harper.	Renfro.
Kenyon.	Shaver.
Land.	Wiggs.
Lee.	Williams
Mankin.	of Sabine.
Martin.	Williams
McCombs.	of Travis.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 92 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

Mr. Speaker.	Justiss.
Ackerman.	Kayton.
Adkins.	Keeton.
Albritton.	Keller.
Allred.	Kemble.
Anderson.	Kennedy.
Baker.	King.
Barnett.	Kinnear.
Bateman.	Lee.
Beck.	Lemens.
Bounds.	Long of Houston.
Bradley.	Long of Wichita.
Brice.	Loy.
Brooks.	Magee.
Coltrin.	Marks.
Conway.	Mauritz.
Cox of Lamar.	Maynard.
Cox of Limestone.	McDonald.
Davis.	McGill.
DeWolfe.	Mehl.
Dunlap.	Minor.
Enderby.	Moore.
Farrar.	Morse.
Finn.	Mullally.
Forbes.	Murphy.
Fuchs.	Negley.
Gates.	Nicholson.
Gilbert.	Olsen.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pool.
Hardy.	Pope of Jones.
Harman.	Pope of Nueces.
Harrison.	Purl.
Heaton.	Quinn.
Hines.	Ray.
Hogg.	Reader.
Holder.	Richardson.
Hopkins.	Riley.
Hornaday.	Rogers.
Hubbard.	Sanders.
Jenkins.	Shelton.
Johnson	Sherrill.
of Dallam.	Simmons.
Johnson	Sinks.
of Dimmit.	Snelgrove.
Johnson of Smith.	Speck.
Jones.	Stevenson.

Storey.  
Tarwater.  
Terrell.  
Tillotson.  
Turner.  
Van Zandt.  
Waddell.

Wallace.  
Walters.  
Warwick.  
West.  
Westbrook.  
Woodruff.  
Young.

Nays—3.

Bond.  
Finlay.

Stephens.

Absent.

Acker.  
Avis.  
Baldwin.  
Duvall.  
Eickenroht.  
Harding.  
Harper.  
Kenyon.  
Land.  
Mankin.  
Martin.  
McCombs.  
Metcalf.

Montgomery.  
O'Neill.  
Patterson.  
Prendergast.  
Reid.  
Renfro.  
Shaver.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

SENATE BILL NO. 96 ON THIRD READING.

Mr. Anderson moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 96 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Enderby.
Adkins.	Farrar.
Allred.	Finn.
Anderson.	Forbes.
Baker.	Fuchs.
Barnett.	Gates.
Bateman.	Gilbert.
Beck.	Graves
Bounds.	of Williamson.
Bradley.	Graves of Erath.
Brooks.	Hardy.
Coltrin.	Harman.
Conway.	Harrison.
Cox of Limestone.	Hines.
Davis.	Hogg.
DeWolfe.	Holder.
Dunlap.	Hopkins.

Hornaday.	Olsen.
Hubbard.	Palmer.
Johnson	Pavlica.
of Dallam.	Petsch.
Johnson	Pool.
of Dimmit.	Pope of Nueces.
Johnson of Smith.	Purl.
Jones.	Quinn.
Justiss.	Ray.
Kayton.	Reader.
Keeton.	Riley.
Keller.	Sanders.
Kemble.	Shaver.
King.	Shelton.
Kinnear.	Sherrill.
Lemens.	Simmons.
Long of Houston.	Sinks.
Long of Wichita.	Speck.
Loy.	Stevenson.
Magee.	Storey.
Marks.	Tarwater.
Maynard.	Terrell.
McDonald.	Tillotson.
McGill.	Turner.
Mehl.	Van Zandt.
Minor.	Waddell.
Moore.	Wallace.
Morse.	Walters.
Mullally.	Warwick.
Negley.	Westbrook.
Nicholson.	Young.

## Yeas—18.

Ackerman.	Kennedy.
Albritton.	Lee.
Bond.	Pope of Jones.
Brice.	Richardson.
Cox of Lamar.	Rogers.
Finlay.	Snelgrove.
Giles.	Stephens.
Heaton.	West.
Jenkins.	Woodruff.

## Absent.

Acker.	Metcalf.
Avis.	Montgomery.
Baldwin.	Murphy.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Prendergast.
Harper.	Reid.
Kenyon.	Renfro.
Land.	Wiggs.
Mankin.	Williams
Martin.	of Sabine.
Mauritz.	Williams
McCombs.	of Travis.

## Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 96 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—88.

Mr. Speaker.	Kinnear.
Adkins.	Lemens.
Albritton.	Long of Houston.
Allred.	Long of Wichita.
Anderson.	Loy.
Baker.	Magee.
Bateman.	Marks.
Bounds.	Mauritz.
Bradley.	Maynard.
Brooks.	McDonald.
Coltrin.	McGill.
Conway.	Mehl.
Cox of Limestone.	Minor.
Davis.	Moore.
DeWolfe.	Morse.
Dunlap.	Murphy.
Enderby.	Negley.
Finn.	Nicholson.
Forbes.	Olsen.
Fuchs.	Palmer.
Gates.	Pavlica.
Gilbert.	Petsch.
Graves	Pool.
of Williamson.	Pope of Nueces.
Graves of Erath.	Quinn.
Hardy.	Ray.
Harman.	Reader.
Harrison.	Riley.
Hines.	Sanders.
Hogg.	Shaver.
Holder.	Shelton.
Hopkins.	Simmons.
Hornaday.	Speck.
Hubbard.	Storey.
Johnson	Tarwater.
of Dallam.	Terrell.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Jones.	Waddell.
Justiss.	Walters.
Kayton.	Warwick.
Keeton.	Westbrook.
Keller.	Woodruff.
Kemble.	Young.

## Nays—20.

Ackerman.	Jenkins.
Barnett.	Lee.
Beck.	Mullally.
Bond.	Pope of Jones.
Brice.	Richardson.
Cox of Lamar.	Rogers.
Farrar.	Snelgrove.
Finlay.	Stephens.
Giles.	Stevenson.
Heaton.	West.

Present—Not Voting.

Sherrill.

Absent.

Acker.	Metcalfe.
Avis.	Montgomery.
Baldwin.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Prendergast.
Harding.	Purl.
Harper.	Reid.
Kennedy.	Renfro.
Kenyon.	Sinks.
King.	Wiggs.
Land.	Williams
Mankin.	of Sabine.
Martin.	Williams
McCombs.	of Travis.

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

SENATE BILL NO. 94 ON THIRD READING.

Mr. Young moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 94 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Gates.
Adkins.	Gilbert.
Albritton.	Giles.
Allred.	Graves
Anderson.	of Williamson.
Baker.	Graves of Erath.
Bateman.	Hardy.
Beck.	Harman.
Bounds.	Harrison.
Bradley.	Hines.
Brice.	Hogg.
Brooks.	Holder.
Coltrin.	Hopkins.
Conway.	Hornaday.
Cox of Lamar.	Hubbard.
Cox of Limestone.	Johnson
Davis.	of Dallam.
DeWolfe.	Johnson
Dunlap.	of Dimmit.
Enderby.	Johnson of Smith.
Farrar.	Justiss.
Finn.	Kayton.
Forbes.	Keeton.
Fuchs.	Keller.

Kemble.	Ray.
Kinnear.	Reader.
Lee.	Renfro.
Lemens.	Richardson.
Long of Houston.	Riley.
Long of Wichita.	Sanders.
Loy.	Shaver.
Marks.	Shelton.
Mauritz.	Sherrill.
Maynard.	Simmons.
McDonald.	Sinks.
McGill.	Speck.
Mehl.	Stephens.
Minor.	Stevenson.
Moore.	Storey.
Morse.	Tarwater.
Murphy.	Terrell.
Negley.	Tillotson.
Nicholson.	Turner.
Olsen.	Van Zandt.
Palmer.	Waddell.
Pavlica.	Walters.
Petsch.	Warwick.
Pool.	West.
Pope of Jones.	Westbrook.
Pope of Nueces.	Woodruff.
Purl.	Young.
Quinn.	

Nays—11.

Ackerman.	Jones.
Barnett.	Kennedy.
Bond.	Mullally.
Finlay.	Rogers.
Heaton.	Snelgrove.
Jenkins.	

Absent.

Acker.	McCombs.
Avis.	Metcalfe.
Baldwin.	Montgomery.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Prendergast.
Harper.	Reid.
Kenyon.	Wiggs.
King.	Williams
Land.	of Sabine.
Magee.	Williams
Mankin.	of Travis.
Martin.	

Absent—Excused.

Carpenter.	Savage.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Wallace.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.
Rountree.	

The Speaker then laid Senate bill No. 94 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—101.

Mr. Speaker.	Long of Houston.
Adkins.	Long of Wichita.
Albritton.	Loy.
Allred.	Marks.
Anderson.	Maynard.
Baker.	McCombs.
Barnett.	McDonald.
Bateman.	McGill.
Beck.	Mehl.
Bounds.	Minor.
Bradley.	Moore.
Brice.	Morse.
Brooks.	Mullally.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Lamar.	Nicholson.
Davis.	Olsen.
DeWolfe.	Palmer.
Dunlap.	Pavlica.
Enderby.	Petsch.
Finn.	Pool.
Finlay.	Pope of Jones.
Forbes.	Pope of Nueces.
Fuchs.	Purl.
Gates.	Quinn.
Gilbert.	Ray.
Giles.	Reader.
Graves	Renfro.
of Williamson.	Richardson.
Graves of Erath.	Riley.
Hardy.	Rogers.
Harman.	Sanders.
Harrison.	Shaver.
Heaton.	Shelton.
Hines.	Sherrill.
Hogg.	Simmons.
Holder.	Sinks.
Hopkins.	Speck.
Hornaday.	Stephens.
Hubbard.	Storey.
Jenkins.	Tarwater.
Johnson	Tillotson.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Waddell.
Johnson of Smith.	Wallace.
Kayton.	Walters.
Keller.	Warwick.
Kemble.	West.
King.	Westbrook.
Kinnear.	Woodruff.
Lee.	Young.
Lemens.	

## Nays—6.

Ackerman.	Kennedy.
Bond.	Magee.
Justiss.	Snelgrove.

## Present—Not Voting.

Farrar.	Keeton.
Jones.	

## Absent.

Acker.	Avis.
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Baldwin.	Montgomery.
Cox of Limestone.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Prendergast.
Harding.	Reid.
Harper.	Stevenson.
Kenyon.	Terrell.
Land.	Wiggs.
Mankin.	Williams
Martin.	of Sabine.
Mauritz.	Williams
Metcalfe.	of Travis.

## Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

## HOUSE BILL NO. 154 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 154, A bill to be entitled "An Act to amend Section Six (6) of Chapter 21, 'An Act to amend Article 3221 of Chapter 3, Title 51, of the Revised Civil Statutes of Texas of 1925, so as to change the name of the Deaf, Dumb and Blind Asylum for Colored Youths to the Deaf, Dumb and Blind Asylum for Colored Youths and Colored Orphans; authorizing the State Board of Control to adopt rules and regulations for the admission, government and discharge of orphan applicants to said institution,' and declaring an emergency."

The bill was read second time.

Mr. Keller offered the following amendment to the bill:

Amend House bill No. 154, below the enacting clause, by striking out all of Sections 1 and 2 and insert in lieu thereof the following:

Section 1. That Section 6 of House bill No. 11, Chapter 21, of the General Laws of the Third Called Session of the Forty-first Legislature, be and is hereby amended so as to hereafter read as follows:

"Sec. 6. Nothing in this act shall be construed as to require the real estate herein to be deeded to the State of Texas before the Board of Control shall have the authority to use the money herein appropriated for the care of said negro orphans. But to the contrary, this act shall be construed so as to give the Board of Control authority to accept the

property herein mentioned at any time and in any manner so long as they do not bind the State of Texas to pay any indebtedness on said property; and this act shall also give the Board of Control authority to care for, maintain and support said negro orphans and to provide quarters and other things incidental to the welfare of said orphans such as the Board of Control may deem advisable."

Sec. 2. The distressing need of the orphan negroes at said institution herein named creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and the same is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

And amend the caption accordingly.

The amendment was adopted.

House bill No. 154 was then passed to engrossment.

HOUSE BILL NO. 154 ON THIRD READING.

Mr. Keller moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 154 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Giles.
Ackerman.	Graves
Adkins.	of Williamson.
Albritton.	Graves of Erath.
Allred.	Hardy.
Baker.	Harman.
Barnett.	Harrison.
Bateman.	Heaton.
Bond.	Hines.
Bounds.	Hogg.
Bradley.	Holder.
Brice.	Hopkins.
Brooks.	Hornaday.
Coltrin.	Hubbard.
Conway.	Jenkins.
Cox of Lamar.	Johnson
Cox of Limestone.	of Dallam.
Davis.	Johnson
DeWolfe.	of Dimmit.
Dunlap.	Johnson of Smith.
Enderby.	Jones.
Farrar.	Justiss.
Finn.	Kayton.
Finlay.	Keeton.
Forbes.	Keller.
Fuchs.	Kemble.
Gates.	Kennedy.
Gilbert.	Kinnear.

Lee.	Richardson.
Lemens.	Riley.
Long of Houston.	Rogers.
Long of Wichita.	Sanders.
Magee.	Shaver.
Marks.	Shelton.
Mauritz.	Sherrill.
Maynard.	Simmons.
McCombs.	Sinks.
McDonald.	Snelgrove.
McGill.	Speck.
Mehl.	Stephens.
Minor.	Stevenson.
Moore.	Storey.
Morse.	Terrell.
Mullally.	Turner.
Olsen.	Van Zandt.
Palmer.	Waddell.
Pavlica.	Wallace.
Pool.	Walters.
Pope of Jones.	Warwick.
Pope of Nueces.	West.
Purl.	Westbrook.
Quinn.	Williams
Ray.	of Travis.
Reader.	Woodruff.
Renfro.	Young.

Absent.

Acker.	Metcalfe.
Anderson.	Montgomery.
Avis.	Murphy.
Baldwin.	Negley.
Beck.	Nicholson.
Duvall.	O'Neill.
Eickenroht.	Patterson.
Harding.	Petsch.
Harper.	Prendergast.
Kenyon.	Reid.
King.	Tarwater.
Land.	Tillotson.
Loy.	Wiggs.
Mankin.	Williams
Martin.	of Sabine.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid House bill No. 154 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Anderson.
Ackerman.	Baker.
Adkins.	Barnett.
Albritton.	Bateman.
Allred.	Beck.

Bond.  
 Bounds.  
 Bradley.  
 Brice.  
 Brooks.  
 Coltrin.  
 Conway.  
 Cox of Lamar.  
 Cox of Limestone.  
 Davis.  
 DeWolfe.  
 Dunlap.  
 Enderby.  
 Finn.  
 Finlay.  
 Forbes.  
 Fuchs.  
 Gates.  
 Gilbert.  
 Giles.  
 Graves  
 of Williamson.  
 Graves of Erath.  
 Harman.  
 Harrison.  
 Heaton.  
 Hines.  
 Hogg.  
 Holder.  
 Hopkins.  
 Hornaday.  
 Jenkins.  
 Johnson  
 of Dallam.  
 Johnson  
 of Dimmit.  
 Johnson of Smith.  
 Jones.  
 Justiss.  
 Kayton.  
 Keeton.  
 Keller.  
 Kemble.  
 Kennedy.  
 Kinnear.  
 Lemens.  
 Long of Houston.  
 Loy.  
 Marks.

Nays—2

Farrar.  
 Present—Not Voting.  
 Hubbard.  
 Acker.  
 Avis.  
 Baldwin.  
 Duvall.  
 Eickenroht.  
 Hardy.  
 Harding.  
 Harper.

Mauritz.  
 Maynard.  
 McCombs.  
 McDonald.  
 McGill.  
 Mehl.  
 Minor.  
 Moore.  
 Morse.  
 Mullally.  
 Negley.  
 Olsen.  
 Palmer.  
 Pavlica.  
 Petsch.  
 Pool.  
 Pope of Jones.  
 Purl.  
 Quinn.  
 Ray.  
 Reader.  
 Renfro.  
 Richardson.  
 Riley.  
 Rogers.  
 Sanders.  
 Shaver.  
 Shelton.  
 Sherrill.  
 Simmons.  
 Sinks.  
 Snelgrove.  
 Speck.  
 Stevenson.  
 Storey.  
 Terrell.  
 Tillotson.  
 Van Zandt.  
 Waddell.  
 Wallace.  
 Walters.  
 Warwick.  
 West.  
 Westbrook.  
 Williams  
 of Travis.  
 Woodruff.  
 Young.

Turner.

Stephens.  
 Absent.

Kenyon.  
 King.  
 Land.  
 Lee.  
 Long of Wichita.  
 Magee.  
 Mankin.  
 Martin.

Metcalf.  
 Montgomery.  
 Murphy.  
 Nicholson.  
 O'Neill.  
 Patterson.  
 Pope of Nueces.

Prendergast.  
 Reid.  
 Tarwater.  
 Wiggs.  
 Williams  
 of Sabine.

Absent—Excused.

Carpenter.  
 Chastain.  
 Hefley.  
 Johnson of Scurry.  
 Kincaid.  
 McKean.  
 Mosely.

Rountree.  
 Savage.  
 Thompson.  
 Veatch.  
 Webb.  
 Williams  
 of Hardin.

## SENATE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 87, A bill to be entitled "An Act designating the historical collection of the North Texas State Teachers College, consisting of books, documents, stamps, coins, firearms, implements of warfare, relics, heirlooms and various and sundry other things and collections of historical importance, a State historical collection; authorizing the Board of Regents of said college to accept and receive gifts, donations and collections of all kinds having a historical value; to prescribe rules and regulations with respect to the same, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 87 ON THIRD READING.

Mr. Minor moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 87 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.  
 Ackerman.  
 Adkins.  
 Albritton.  
 Allred.  
 Baker.  
 Barnett.  
 Bateman.  
 Bond.  
 Bounds.  
 Bradley.  
 Brice.

Brooks.  
 Coltrin.  
 Conway.  
 Cox of Lamar.  
 Cox of Limestone.  
 Davis.  
 DeWolfe.  
 Dunlap.  
 Enderby.  
 Finn.  
 Finlay.  
 Forbes.

Fuchs.	Mullally.
Gates.	Murphy.
Gilbert.	Olsen.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Petsch.
Graves of Erath.	Pool.
Hardy.	Pope of Jones.
Harman.	Pope of Nueces.
Harrison.	Purl.
Heaton.	Quinn.
Hines.	Ray.
Hogg.	Reader.
Holder.	Renfro.
Hopkins.	Richardson.
Hornaday.	Riley.
Johnson	Rogers.
of Dallam.	Sanders.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson of Smith.	Sherrill.
Jones.	Simmons.
Justiss.	Sinks.
Kayton.	Snelgrove.
Keeton.	Speck.
Keller.	Stephens.
Kemble.	Stevenson.
Kinnear.	Tarwater.
Lee.	Terrell.
Lemens.	Tillotson.
Long of Houston.	Turner.
Magee.	Van Zandt.
Marks.	Waddell.
Mauritz.	Wallace.
Maynard.	Walters.
McCombs.	Warwick.
McDonald.	West.
McGill.	Westbrook.
Mehl.	Williams
Minor.	of Travis.
Moore.	Young.
Morse.	

Nays—1.

Kennedy.

Present—Not Voting.

Beck.

Farrar.

Absent.

Acker.	Mankin.
Anderson.	Martin.
Avis.	Metcalfe.
Baldwin.	Montgomery.
Duvall.	Negley.
Eickenroht.	Nicholson.
Harding.	O'Neill.
Harper.	Patterson.
Hubbard.	Prendergast.
Jenkins.	Reid.
Kenyon.	Storey.
King.	Wiggs.
Land.	Williams
Long of Wichita.	of Sabine.
Loy.	Woodruff.

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

The Speaker then laid Senate bill No. 87 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Keeton.
Ackerman.	Keller.
Adkins.	Kemble.
Albritton.	Kinnear.
Allred.	Lee.
Anderson.	Lemens.
Baker.	Long of Houston.
Barnett.	Long of Wichita.
Bateman.	Magee.
Bond.	Marks.
Bounds.	Mauritz.
Bradley.	Maynard.
Brooks.	McCombs.
Coltrin.	McDonald.
Conway.	McGill.
Cox of Lamar.	Mehl.
Cox of Limestone.	Minor.
Davis.	Moore.
DeWolfe.	Morse.
Dunlap.	Mullally.
Enderby.	Murphy.
Farrar.	Negley.
Finn.	Olsen.
Finlay.	Palmer.
Forbes.	Pavlica.
Fuchs.	Petsch.
Gates.	Pool.
Gilbert.	Pope of Jones.
Giles.	Pope of Nueces.
Graves	Purl.
of Williamson.	Quinn.
Graves of Erath.	Ray.
Hardy.	Reader.
Harman.	Renfro.
Harrison.	Richardson.
Heaton.	Riley.
Hines.	Rogers.
Hogg.	Sanders.
Holder.	Shaver.
Hopkins.	Sherrill.
Hornaday.	Simmons.
Johnson	Sinks.
of Dallam.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stevenson.
Johnson of Smith.	Tarwater.
Jones.	Terrell.
Justiss.	Tillotson.
Kayton.	Turner.

Van Zandt.	Westbrook.
Waddell.	Williams
Wallace.	of Travis.
Walters	Young.
West.	

**Present—Not Voting.**

Beck.	Stephens.
Brice.	

**Absent.**

Acker.	Martin.
Avis.	Metcalf.
Baldwin.	Montgomery.
Duvall.	Nicholson.
Eickenroht.	O'Neill.
Harding.	Patterson.
Harper.	Prendergast.
Hubbard.	Reid.
Jenkins.	Shelton.
Kennedy.	Storey.
Kenyon.	Warwick.
King.	Wiggs.
Land.	Williams
Loy.	of Sabine.
Mankin.	Woodruff.

**Absent—Excused.**

Carpenter.	Rountree.
Chastain.	Savage.
Hefley.	Thompson.
Johnson of Scurry.	Veatch.
Kincaid.	Webb.
McKean.	Williams
Mosely.	of Hardin.

**BILLS ORDERED NOT PRINTED.**

(By Unanimous Consent.)

On motion of Mr. Holder, Senate bill No. 79 was ordered not printed.

On motion of Mr. Lemens, Senate bill No. 91 was ordered not printed.

**CONFERENCE COMMITTEE ON SENATE BILL NO. 53.**

Mr. Pope of Nueces called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 53.

The Speaker laid the request of the Senate before the House.

Question — Shall the request be granted?

Mr. Pope of Nueces moved that the request be granted.

The motion prevailed.

**MESSAGE FROM THE SENATE.**

Senate Chamber,  
Austin, Texas, March 18, 1930.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.  
Sir: I am directed by the Senate to

inform the House that the Senate has refused to concur in House amendments to Senate bill No. 53 and requests the House for the appointment of a free conference committee to adjust the differences. The following are appointed as conferees on the part of the Senate:

Senators Holbrook, Russek, Parr, Miller and Neal.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

**TO INSTRUCT CONFEREES ON CERTAIN BILL.**

Mr. Morse offered the following resolution:

Whereas, The people of the State of Texas are looking to the Legislature to make adequate provisions for the summer schools and other necessities during this Special Session; and

Whereas, It is generally understood that certain appropriations are being withheld until additional revenue may be raised; and

Whereas, The House of Representatives refused to adopt the report of the conference committee on the sulphur tax bill during the Fourth Called Session of the Forty-first Legislature, with the feeling that the matter could be disposed of during this the Fifth Called Session; and

Whereas, Failure on the part of the Legislature to pass a 50-cent sulphur tax bill in preference to no sulphur tax bill at all will result in the State's losing approximately \$500,000 between this and the Regular Session of the Forty-second Legislature; and

Whereas, The State of Texas is badly in need of these funds; and

Whereas, It has been charged that the House of Representatives would rather vote no tax on sulphur at all than to accept a tax of 50 cents; and

Whereas, This is a direct reflection upon the integrity of the House of Representatives; now, therefore, be it

Resolved by the House of Representatives, That we go on record, as we have previously done, as favoring a tax of \$1.00 per long ton on sulphur, but if this is not possible, then we go on record as favoring an increase to 50 cents per long ton rather than no increase at all.

The resolution was read second time.

Mr. DeWolfe offered the following amendment to the resolution:

Amend resolution by striking out "50 cents" wherever it appears and insert in lieu thereof "75 cents."

Signed—DeWolfe, Woodruff.

Mr. Quinn moved that further consideration of the resolution be postponed until 10 o'clock a. m. tomorrow, and the motion was lost.

Mr. Long of Houston moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Mr. Morse raised a point of order on further consideration of the amendment by Mr. DeWolfe, on the ground that it is not germane.

The Speaker overruled the point of order.

Question recurring on the amendment by Mr. DeWolfe, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—35.

Mr. Speaker.	Gilbert.
Baker.	Graves of Erath.
Bateman.	King.
Bond.	Magee.
Bradley.	Mullally.
Brooks.	Olsen.
Coltrin.	Pavlica.
Conway.	Purl.
Cox of Lamar.	Savage.
Davis.	Sherrill.
DeWolfe.	Simmons.
Dunlap.	Stephens.
Farrar.	Stevenson.
Finn.	Tillotson.
Finlay.	Wallace.
Forbes.	Williams
Fuchs.	of Travis.
Gates.	Woodruff.

Nays—67.

Ackerman.	Justiss.
Allred.	Kayton.
Anderson.	Keeton.
Barnett.	Keller.
Bounds.	Kemble.
Brice.	Kennedy.
Cox of Limestone.	Kinnear.
Giles.	Lee.
Graves	Lemens.
of Williamson.	Long of Houston.
Hardy.	Long of Wichita.
Harman.	Loy.
Harrison.	Marks.
Heaton.	Maynard.
Hines.	McCombs.
Hogg.	McDonald.
Holder.	McGill.
Hopkins.	Mehl.
Hornaday.	Minor.
Johnson	Moore.
of Dallam.	Morse.
Johnson	Murphy.
of Dimmit.	Negley.
Johnson of Smith.	Palmer.
Jones.	Petsch.

Pool.	Storey.
Pope of Jones.	Strong.
Pope of Nueces.	Tarwater.
Quinn.	Terrell.
Ray.	Turner.
Reader.	Van Zandt.
Renfro.	Waddell.
Riley.	Walters.
Rogers.	Warwick.
Sanders.	West.
Shaver.	Westbrook.
Shelton.	Young.
Snelgrove.	

Present—Not Voting.

Beck.	Mauritz.
Enderby.	Nicholson.
Hubbard.	Sinks.

Absent.

Acker.	Martin.
Adkins.	Metcalfe.
Albritton.	Montgomery.
Avis.	O'Neill.
Baldwin.	Patterson.
Duvall.	Prendergast.
Eickenroht.	Reid.
Harding.	Richardson.
Harper.	Speck.
Jenkins.	Wiggs.
Kenyon.	Williams
Land.	of Sabine.
Mankin.	

Absent—Excused.

Carpenter.	Rountree.
Chastain.	Thompson.
Hefley.	Veatch.
Johnson of Scurry.	Webb.
Kincaid.	Williams
McKean.	of Hardin.
Mosely.	

Question then recurring on the resolution, it was lost by the following vote:

Yeas—30.

Ackerman.	Kennedy.
Bounds.	Kinnear.
Cox of Limestone.	Long of Wichita.
Finn.	Marks.
Gates.	McCombs.
Hardy.	Moore.
Harman.	Morse.
Harrison.	Mullally.
Heaton.	Pavlica.
Hines.	Pope of Nueces.
Hopkins.	Purl.
Johnson of Smith.	Quinn.
Justiss.	Stevenson.
Kayton.	Storey.
Kemble.	Tillotson.

Nays—77.

Mr. Speaker.	Allred.
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Anderson.	McGill.
Baker.	Mehl.
Barnett.	Minor.
Bateman.	Murphy.
Bond.	Negley.
Bradley.	Olsen.
Brice.	Palmer.
Brooks.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Lamar.	Ray.
Davis.	Reader.
DeWolfe.	Renfro.
Dunlap.	Riley.
Finlay.	Rogers.
Forbes.	Sanders.
Fuchs.	Savage.
Gilbert.	Shaver.
Giles.	Shelton.
Graves	Sherrill.
of Williamson.	Simmons.
Hogg.	Sinks.
Holder.	Snelgrove.
Hornaday.	Speck.
Johnson	Stephens.
of Dallam.	Tarwater.
Johnson	Terrell.
of Dimmit.	Turner.
Jones.	Van Zandt.
Keeton.	Waddell.
Keller.	Wallace.
King.	Walters.
Lee.	Warwick.
Lemens.	West.
Long of Houston.	Westbrook.
Loy.	Williams
Magee.	of Travis.
Mauritz.	Woodruff.
Maynard.	Young.
McDonald.	

## Present—Not Voting.

Beck.	Hubbard.
Enderby.	Nicholson.
Farrar.	

## Absent.

Acker.	Mankin.
Adkins.	Martin.
Albritton.	Metcalf.
Avis.	Montgomery.
Baldwin.	O'Neill.
Duvall.	Patterson.
Eickenroht.	Prendergast.
Graves of Erath.	Reid.
Harding.	Richardson.
Harper.	Wiggs.
Jenkins.	Williams
Kenyon.	of Sabine.
Land.	

## Absent—Excused.

Carpenter.	Kincaid.
Chastain.	McKean.
Hefley.	Mosely.
Johnson of Scurry.	Rountree.

Thompson.	Williams
Veatch.	of Hardin.
Webb.	

Mr. Kayton moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

The motion to table prevailed.

## RECESS.

Mr. Johnson of Dimmit moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Quinn moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Johnson of Dimmit prevailed, and the House, accordingly, at 7 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills as follows:

Claims and Accounts: House bill No. 155.

Revenue and Taxation: House bill No. 156; Senate bills Nos. 92, 96 and 46.

Highways and Motor Traffic: Senate bill No. 82.

Education: Senate bill No. 94.

The Committee on State Affairs filed an adverse report on Senate bill No. 76, with minority favorable report.

## REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 18, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 158, A bill to be entitled "An Act amending Chapter 12 of the Acts of the First Called Session of the Fortieth Legislature of the State of Texas of 1927, relating to the organization of the Fifty-first (51st) Judicial District of the State of Texas; reorganizing the same; naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein; amending Chapter 36 of the Acts of the Regular Session of the Thirty-ninth Legislature of the State of Texas, relating to the organization of the Thirty-fifth (35th) Judicial District

of the State of Texas, reorganizing the same, naming the counties constituting the same, and fixing the terms of court to be held in the several counties therein, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, March 18, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 100, A bill to be entitled "An Act amending House bill No. 87, Fourth Called Session, Forty-first Legislature, so as to include Marion county; providing size limits for bass and crappie caught in these counties; providing a possession limit for bass and crappie in these counties; providing a penalty, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,  
Austin, Texas, March 18, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 136, A bill to be entitled "An Act granting the consent of the Legislature of the State of Texas to O. F. Whittle of Miami, Fla., and Lester C. Seymour of Kenton, Ohio, etc., to construct, maintain and operate a toll bridge," etc.,

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,  
Austin, Texas, March 18, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 139, A bill to be entitled "An Act amending Chapter 42, Local and Special Laws, Regular Session of the Thirty-seventh Legislature of the State of Texas, entitled 'An Act to create a more efficient and better road system for Brazos county, Texas,' as same is amended by Chapter 98, Special Laws of the Fortieth Legislature, First Called Session in 1927, by adding thereto Sec-

tion 13, restricting the issuance of warrants against the road and bridge fund of Brazos county, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

## TWENTIETH DAY.

(Continued.)

(Wednesday, March 19, 1930.)

The House met at 10 o'clock a. m., and was called to order by Speaker Barron.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 11 o'clock a. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Petsch, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 87, "An Act designating the historical collection of the North Texas State Teachers College, consisting of books, documents, stamps, coins, firearms, implements of warfare, relics, heirlooms and various and sundry other things and collections of historical importance, a State historical collection; authorizing the board of regents of said college to accept and receive gifts, donations and collections of all kinds having a historical value, to prescribe rules and regulations with respect to the same, and declaring an emergency."

S. B. No. 92, "An Act to subject to taxation for school purposes all land in Cherokee county, Texas, owned by the State of Texas and Prison Commission of Texas, except the land heretofore set aside for the Rusk State Hospital, but including the land heretofore set aside to the Agricultural and Mechanical College for reforestation purposes, and declaring an emergency."

S. B. No. 96, "An Act authorizing